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TITLE 6—AGRICULTURAL CREDIT

Chapter I—Farm Credit Administration

Subchapter B—Federal Farm Loan System

PART 10—FEDERAL LAND BANKS GENERALLY

INTEREST RATES ON LOANS MADE THROUGH ASSOCIATIONS

Approval has been given to an interest rate of 5½ percent per annum on loans closed by the Federal Land Bank of St. Louis on applications accepted by national farm loan associations on and after September 1, 1957. The bank advises that applications pending at the close of business on August 31, 1957, will be closed at the present 5 percent interest rate, provided funds are disbursed and the loan closed on or before October 31, 1957. In order to reflect this change, § 10.41 of Title 6 of the Code of Federal Regulations, as amended (21 F. R. 10167; 22 F. R. 133, 653, 1318, 1586, 2095, 3863, 6214), is hereby further amended, effective September 1, 1957, by substituting "5½" for "5" in the line with "St. Louis" therein.

(Sec. 6, 47 Stat. 14, as amended; 12 U. S. C. 665. Interprets or applies secs. 12 "Second", 17, 39 Stat. 370, 375, as amended; 12 U. S. C. 771 "Second", 831)

[SEAL] R. B. TOOTELL,
Governor,
Farm Credit Administration.

[F. R. Doc. 57-7316; Filed, Sept. 5, 1957; 8:51 a. m.]

Chapter IV—Commodity Stabilization Service and Commodity Credit Corporation, Department of Agriculture

Subchapter D—Regulations Under Soil Bank Act

PART 485—SOIL BANK

SUBPART—CONSERVATION RESERVE PROGRAM

MISCELLANEOUS AMENDMENTS

Pursuant to the authority vested in the Secretary of Agriculture pursuant to the Soil Bank Act (70 Stat. 188) the regulations for the conservation reserve program issued August 16, 1956 (21 F. R. 6289), as amended, are hereby amended as follows:

1. Section 485.150 (q) is amended to read as follows:

(q) "Producer" means any person who is an owner or landlord, cash tenant, standing-rent tenant, fixed-rent tenant, share tenant, sharecropper, or in the case of rice, a person who furnishes water for a share of the crop.

2. Section 485.150 (l) is amended by deleting the last sentence thereof.

3. Section 485.150 (r) is amended to read as follows:

(r) "Farm" means farm as defined in regulations governing determination of acreage and performance (22 F. R. 3747).

4. Section 485.156 (c) is amended by (1) striking out in the first sentence of subparagraph (3) the language ", or woody vegetation under practice G-1," and inserting in lieu thereof the words "for forest purposes"; and (2) adding new paragraphs (7) and (8) at the end thereof to read as follows:

(7) If the contract provides that the conservation reserve is to be established in tree or shrub cover under practice A-7 for shelter belt or windbreak purposes or in tree or shrub cover under practice G-1, G-2 or G-3, the contract period shall be 5 or 10 years at the election of the producer. Contracts in which 1956 or 1957 is included in the contract period which were entered into for 10 years shall remain in effect, but the contract period may be changed to 5 years at the election of the producer.

(8) Notwithstanding any other provision of this paragraph, if additional land is designated as conservation reserve under an existing contract and if it is necessary to make the contract period for all the land on a farm in the conservation reserve (except land planted to forest trees under practice A-7) expire simultaneously, the contract period may be increased for the land previously placed in the conservation reserve or the contract period for the additional land placed in the conservation reserve may be 6, 7, 8, or 9 years, at the election of the producer, except that the contract period may not be less than the minimum required period for any of the approved conservation uses to which the land is devoted.

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FEDERAL REGISTER

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5. Section 485.157 (d) (2) is amended by (1) inserting the following statement immediately after the first sentence of practice A-7: "For contracts becoming effective in 1958 or a subsequent year, practice A-7 shall be: Initial establishment of a stand of trees or shrubs on farmland for purposes other than the prevention of wind or water erosion"; and (2) by inserting the following new practice immediately following practice A-7:

A-8—Initial establishment of a stand of trees or shrubs on farmland to prevent wind or water erosion. (This practice shall be applicable only to contracts becoming effective in 1958 or a subsequent year.)

6. Section 485.157 (d) (4) is amended by adding to the end thereof the following: "In selecting eligible grasses and legumes and developing the seeding rates and rates of application of liming materials and fertilizers, full consideration should be given to the fact that the vegetative cover is to remain on the land for the contract period without the removal of any growth therefrom. For contracts becoming effective in 1958 or a subsequent year, legumes such as alfalfa, red clover, Ladino clover, or sweetclover shall not be included as eligible legumes where the growth thereof, if not removed, would result in failure of the vegetative cover through smothering or where such legumes are not necessary to the establishment of the vegetative cover."

7. Section 485.157 (h) (1) is amended by (1) inserting "A-8" immediately following the word "practices" in the second sentence; and (2) adding the following new sentence immediately following the second sentence: "The Soil Conservation Service will utilize to the full extent available resources of the State forestry agencies in carrying out its assigned responsibilities for practice A-8."

8. Section 485.157 (h) (2) is amended by adding the following to the last sentence thereof: "but services of State forestry agencies will be utilized to the full extent such services are available."

9. Section 485.158 (a) is amended as follows:

a. Paragraph (a) (1) is amended by adding at the end thereof the following: "The provisions of this subparagraph shall apply only to contracts under which 1956 or 1957 is the first year of the contract period."

b. Immediately following subparagraph (1), the following new subparagraph shall be added:

(2) The provisions of this subparagraph shall apply to all contracts under which 1958 or a subsequent year is the first year of the contract period. A soil bank base shall be established by the county committee for each farm on which land is placed in the conservation reserve. The soil bank base for the farm shall be the average acreage of land devoted to soil bank base crops during the soil bank base period applicable to the farm, subject to adjustment by the county committee as follows: (i) Such average acreage shall be adjusted where necessary to make due allowance for abnormal weather conditions to the extent that such abnormal weather conditions affected the acreage of such crops during such period; (ii) if 1958 or a subsequent year is the first year of the contract period, such average acreage shall be adjusted downward (*a*) by the acreage of new land brought into the production of soil bank base crops on the farm after December 31, 1956, to the extent that such new land is not offset by the retirement of cropland on the farm to noncropland, and (*b*) by the acreage necessary to eliminate soil bank base acreage credit resulting from considering the acreage on the farm in the acreage reserve as being devoted to a crop of the commodity covered by the acreage reserve agreement in any case where such soil bank base acreage credit would, if not eliminated, increase the soil bank base above the acreage which would have been grown on the farm in the soil bank base period in the absence of participation in the acreage reserve program. The soil bank base period for a farm shall be the two-year period immediately preceding the first year of the contract period. The soil bank base crops shall consist of all crops produced for harvest on the farm other than (*1*) annual grasses pastured or cut for hay or ensilage, provided a crop of seed or grain was not harvested from such grasses, (*2*) biennial legumes, (*3*) perennial grasses and legumes, (*4*) annual legumes except soybeans, cowpeas, peanuts, field and canning peas, and field and canning beans, and (*5*) land devoted to a garden primarily for home consumption: *Provided*, That the acreage of any commodity for which payment is made under the acreage reserve program during the soil bank base period shall be considered as being devoted to a crop of such commodity and shall be included in determining the soil bank base. The soil bank base established hereunder may provide different acreages for alternate years when necessary to reflect an established summer fallow rotation system, provided the average of the acreages for such alternate years shall equal the acreage as determined above. Notwithstanding the provisions of this paragraph, if a contract in which 1958 or a subsequent year is the first year of the contract period and an acreage reserve agreement is in effect on the farm for such year, the soil bank base established for such agreement shall be the soil bank base for the conservation reserve contract.

c. The present subparagraph (2) is redesignated as subparagraph (3).

10. Section 485.158 (b) is amended (1) by inserting at the end of subparagraph (1) immediately following the words "conservation reserve": "at the regular rate and less the acreage in the acreage reserve for contracts under which 1958 or a subsequent year is the first year of the contract period"; and (2) by adding at the end thereof the following: "Notwithstanding any other provision of this paragraph, beginning with contracts in which 1958 or a subsequent year is the first year of the contract period there may be placed in the conservation reserve on any farm (i) an acreage at the non-diversion rate up to but not in excess of the acreage on such farm placed in the conservation reserve at the regular rate; and (ii) any acreage at the non-diversion rate which is to be devoted to forest trees under practice A-7."

11. Section 485.158 (c) is amended to read as follows:

(c) If the farm soil bank base for each year of the contract period is not more than 30 acres, (1) the producers may enter into a contract under which the entire conservation reserve is placed in the conservation reserve program at the nondiversion rate specified in § 485.163 (c), in which event they shall agree not to devote an acreage on the farm during any year of the contract period to soil bank base crops in excess of the soil bank base less the acreage in the acreage reserve in the case of a contract under which 1958 or a subsequent year is the first year of the contract period, or (2) the producers may enter into a contract under which a specified acreage of the conservation reserve, not to exceed the number of acres in the farm soil bank base, is placed in the conservation reserve program at the regular rate specified in § 485.163 (b) (such acreage may be in addition to acreage placed in the conservation reserve program at the non-diversion rate) in which event they shall agree not to devote an acreage on the farm during any year of the contract period to soil bank base crops in excess of the farm soil bank base less the number of acres placed in the conservation reserve program at the regular rate and less the number of acres in the acreage reserve in the case of a contract under which 1958 or a subsequent year is the first year of the contract period.

12. Section 485.162 (b) is amended to read as follows:

(b) *Maximum cost-share limitations for practices.* (1) The cost-share for a water storage facility, including a water storage facility constructed under practice G-2 or practice G-3, shall not exceed the sum of (i) 80 per centum of that part of the cost of constructing the water storage facility which is not in excess of $625, (ii) 40 per centum of that part of the cost of constructing the water storage facility which is in excess of $625 but not in excess of $1,000, and (iii) 20 per centum of that part of the

cost of constructing the water storage facility which is in excess of $1,000: *Provided,* That where the area covered by the water impounded by a water storage facility is not wholly within the conservation reserve on a farm, the cost-share for such water storage facility practice shall be limited to a percentage of the cost-share computed as above which is equal to the percentage which the area located on the conservation reserve covered by the impounded water is of the total area covered by the impounded water: *Provided further,* That in no case shall the cost-share for a water storage facility exceed $1,500. With respect to water storage facility practices approved on and after the date authorized as the beginning date for approving contracts starting with 1958, the total cost-share for all conservation reserve water storage facilities constructed on a farm including those previously approved shall not exceed the larger of $1,500 or $40 times the acreage in the conservation reserve on such farm.

(2) With respect to practices approved on and after the date authorized as the beginning date for approving contracts starting with 1958, the State committee shall establish a maximum cost-share limitation per acre for practices, other than those involving the construction of water storage facilities, in accordance with instructions issued by the Administrator of CSS.

(3) No cost-share payment will be made for conservation reserve practices carried out on land other than that for which an annual payment is payable.

13. Section 485.162 (d) is amended by adding at the end thereof: *"Provided,* That for conservation reserve practices approved on and after the date authorized as the beginning date for approving contracts starting with 1958, cost-shares for completed components of a practice shall not be paid unless the practice is substantially completed."

14. Section 485.163 (c) is amended by deleting the last sentence thereof and adding the following: "Notwithstanding any other provision of this paragraph, the non-diversion rate for land first placed under contract in 1958 or a subsequent year (1) may be up to 50 per centum of the regular rate where all eligible land on a farm is placed in the conservation reserve or for any land placed under contract which is to be planted to forest trees under practice A-7, provided the county committee determines that the land value, rental rate, or productivity of the farm justifies such higher rate; and (2) may be up to 100 per centum of the regular rate where all eligible land on a farm is placed in the conservation reserve and all such eligible land is to be planted to forest trees under practice A-7 provided the county committee determines that the land value, rental rate, or productivity of the farm justifies such higher rate."

15. Section 485.163 (d) (2) is amended to read as follows:

(2) In the case of farms on which the entire acreage in the conservation reserve is placed in the conservation reserve at the non-diversion rate, the number of acres which shall be used in computing the amount of the annual payment for any year shall be the number of acres placed in the conservation reserve, less the number of acres, if any, by which the acreage devoted to soil bank base crops on the farm for such year exceeds the acreage permitted under the contract to be devoted to soil bank base crops: *Provided,* That no payment shall be made and the producer shall be considered in violation of his contract in any year if for such year (i) the acreage permitted under the contract to be devoted to soil bank base crops is zero and any acreage is devoted to such crops, or (ii) the acreage permitted under the contract to be devoted to soil bank base crops is more than zero and the acreage devoted to such crops exceeds such permitted acreage by more than one acre or three per centum of the permitted acreage, whichever is larger.

16. Section 485.166 is amended by inserting "(a) *General*" immediately following the title of the section and by adding a new paragraph (b) as follows:

(b) *Assignees.* Assignees designated as payees, shall be notified of the amount of any indebtedness owed by a producer subject to set-off on the date the assignment is filed. Set-off of such indebtedness shall be made prior to payment to the assignee, and the assignee shall be entitled to any amount remaining. The assignee shall be entitled to payment prior to set-off with respect to any amount not specified in the notice of indebtedness owed by the producer.

17a. Section 485.167 is amended by adding to the end of paragraph (b) the following: "The provisions of this paragraph shall apply only to contracts under which 1956 or 1957 is the first year of the contract period."

b. Section 485.167 is further amended by adding a new paragraph (c) as follows:

(c) *Annual payments.* The provisions of this paragraph shall apply to all contracts under which 1958 or a subsequent year is the first year of the contract period. The contract as executed shall specify the basis on which the landlords, tenants, sharecroppers, and (in the case of rice) persons who furnish water for a share of the crop are to share in the annual payments payable under the contract. The basis on which the producers share in such annual payments must be approved by the county committee as being fair and equitable taking into consideration (1) the respective contribution of each producer to the reduction, if any, of soil bank base crops below the farm soil bank base; (2) the basis on which they would have shared in such crops or the proceeds thereof; (3) the respective contribution which would have been made by each producer in the production of the crops which would have been produced on the conservation reserve; (4) the savings or benefits accruing to each producer as a result of the reduction in the production of any crops which would otherwise be grown on the farm. If the county committee determines that with the mutual agreement of the producers involved a producer is not making a contribution to the reduction of any crops, or is making a smaller contribution to the reduction of any crops than would normally occur in the absence of any mutual agreement, a larger share of the annual payment than would otherwise be approved may be approved for the producers who are making the greater contribution to such reduction.

18. Section 485.168 is amended by adding a new paragraph (c) as follows:

(c) In addition to the grounds for not approving a contract specified in paragraph (a) of this section, the county committee shall disapprove a contract where such action is for any other reason determined by the county committee to be necessary to protect the interests of tenants and sharecroppers.

19a. Section 485.169 is amended by adding to the end of paragraph (c) the following: "The provisions of this paragraph shall apply only to contracts under which 1956 or 1957 is the first year of the contract period.

b. Section 485.169 is further amended by adding a new paragraph (d) as follows:

(d) The provisions of this paragraph shall apply to all contracts under which 1958 or a subsequent year is the first year of the contract period. If the county committee is notified in writing, prior to payment of compensation under an existing contract to a tenant (including tenant operator) or to a sharecropper, that such tenant or sharecropper is no longer on the farm, the county committee shall determine the division of compensation between the original tenant or sharecropper, and the successor tenant or sharecropper, or between the original tenant or sharecropper and the landlord or operator if the tenant or sharecropper is not replaced, on a basis which it determines to be fair and equitable. In making such determination, the county committee shall consider, among any other factors it deems pertinent: (1) The respective interests which the original tenant or sharecropper and successor tenant or sharecropper (or the landlord or operator) have in the crops on the farm, (2) the contribution to the reduction of crops which has been made by the tenant or sharecropper up to the time he leaves the farm, (3) the contribution which will be made by the successor tenant or sharecropper (or landlord or operator) to such reduction, (4) the length of time the agreement has been in effect prior to the change in tenant or sharecropper, (5) the respective contributions which have and will be made by the original tenant or sharecropper and by the successor tenant or sharecropper (or landlord or tenant) in carrying out those provisions of the contract relating to the preventing of harvesting or grazing and the control of noxious weeds on the conservation reserve: *Provided,* That if the successor is a tenant-operator, no compensation shall be paid to him unless he becomes a party to the contract.

20. Section 485.170 is amended by striking out paragraph (d).

21. Section 485.176 is amended to read as follows:

§ 485.176 *Access to farms and records.* The county committeemen or their representatives, or any authorized representative of the Secretary, for the purpose of ascertaining the accuracy of the representations made in or in connection with any contract entered into hereunder and the performance of the terms and conditions of such contract, shall have the right to enter the farm at any reasonable time in order to measure the acreage or determine the production of any agricultural commodity on the farm, and to examine any records pertaining to the farm or to the acreage, production, or sale of any such agricultural commodity.

22. Section 485.183 is amended to read as follows:

§ 485.183 *Breaking out noncropland.* No producer shall break out any land not classified as cropland at the time the contract was entered into unless the breaking out of such land is approved by the county committee as a good farming practice and an equal acreage of cropland on the farm (exclusive of the acreage and conservation reserves) is retired to noncrop use. The breaking out of such land without the approval of the county committee shall constitute a violation of the contract.

(Sec. 124, 70 Stat. 198; 7 U. S. C. 1812)

Issued at Washington, D. C. this 30th day of August 1957.

[SEAL] MARVIN L. MCLAIN, *Acting Secretary.*

[F. R. Doc. 57-7287; Filed, Sept. 5, 1957; 8:45 a. m.]

PART 485—SOIL BANK

SUBPART—CONSERVATION RESERVE PROGRAM

MISCELLANEOUS AMENDMENTS

Pursuant to the authority vested in the Secretary of Agriculture pursuant to the Soil Bank Act (70 Stat. 188) the regulations for the conservation reserve program issued August 16, 1956 (21 F. R. 6289), as amended, are hereby amended as follows:

1. Section 485.162 (g) is amended by striking out the last sentence and inserting in lieu thereof the following: "Materials or services furnished by any agency of a State to another agency of the same State, materials or services furnished or used by a State agency for the performance of practices on its land, or any assistance provided by a State agency for the establishment of practice G-1, G-2, or G-3 shall not be regarded as costs borne by a State or Federal agency for the purposes of this section."

2. Section 485.167 (a) is amended by adding the following sentence at the end thereof: "The payments which a producer would otherwise receive for the establishment of practice G-1, G-2 or G-3 shall not be reduced by reason of any assistance provided by a private person or agency or a State agency in establishing the practice."

(Sec. 124, 70 Stat. 198; 7 U. S. C. 1812)

Done at Washington, D. C. this 30th day of August 1957.

[SEAL] MARVIN L. MCLAIN, *Acting Secretary.*

[F. R. Doc. 57-7286; Filed, Sept. 5, 1957; 8:45 a. m.]

TITLE 7—AGRICULTURE

Chapter III—Agricultural Research Service, Department of Agriculture

PART 301—DOMESTIC QUARANTINE NOTICES

SUBPART—WITCHWEED

QUARANTINE AND REGULATIONS

On July 12, 1957, there was published in the FEDERAL REGISTER (22 F. R. 4914), under section 4 of the Administrative Procedure Act (5 U. S. C. 1003), a notice of rule making concerning proposed notice of quarantine No. 80 relating to the witchweed and the regulations supplemental thereto. After due consideration of all relevant matter presented, and pursuant to sections 8 and 9 of the Plant Quarantine Act of 1912, as amended (7 U. S. C. 161, 162) and sections 103 and 106 of the Federal Plant Pest Act of May 23, 1957 (Public Law 85-36; 71 Stat. 32, 33), the quarantine and regulations to appear in 7 CFR 301.80, 301.80-1 et seq., are hereby issued as follows:

QUARANTINE

Sec.
301.80 Notice of quarantine.

REGULATIONS

301.80-1 Definitions.
301.80-2 Designation of regulated areas.
301.80-3 Witchweed; conditions of movement.
301.80-4 Other regulated articles; conditions of movement.
301.80-5 Use of certificates or limited permits with shipments.
301.80-6 Protecting certified articles.
301.80-7 Conditions governing the issuance of certificates and limited permits.
301.80-8 Assembly of articles for inspection.
301.80-9 Cancellation of certificates or limited permits.
301.80-10 Inspection and disposal.
301.80-11 Nonliability of Department.

AUTHORITY: §§ 301.80 to 301.80-11 issued under sec. 9, 37 Stat. 318, secs. 103, 106, Pub. Law 85-36, 85th Cong.; 7 U. S. C. 162. Interpret or apply sec. 8, 37 Stat. 318, as amended, 7 U. S. C. 161.

QUARANTINE

§ 301.80 *Notice of quarantine.* Under the authority conferred by sections 103 and 106 of the Federal Plant Pest Act (Public Law 85-36) and sections 8 and 9 of the Plant Quarantine Act, as amended (7 U. S. C. 161, 162), and after public hearing, it has been determined that it is necessary to quarantine the States of North Carolina and South Carolina to prevent the spread of witchweed (Striga sp.), a parasitic plant which causes a dangerous disease of corn, sorghum, and other crops of the grass family, and which has not heretofore been widely prevalent or distributed within and throughout the United States, and said States are hereby quarantined and regulations are hereinafter prescribed (§§ 301.80-1 through 301.80-11) governing the movement of witchweed and carriers thereof. Hereafter the following shall not be shipped, deposited for transmission in the mail, offered for shipment, received for transportation, carried, otherwise transported or moved, or allowed to be moved by mail or otherwise, by any person, from any quarantined State into or through any other State, Territory, or District of the United States in any manner or method, or under conditions other than those prescribed in the regulations as from time to time amended: (a) Soil, separately or with other things; (b) nursery stock and other plants with roots attached; (c) true bulbs, corms, rhizomes, and tubers; (d) root crops; (e) hay, straw, fodder and plant litter of any kind; (f) seed cotton; (g) tobacco; (h) peanuts in shells; (i) ear corn; (j) soybeans; (k) small grains; (l) used farm tools, implements and harvesting machinery; (m) used construction and maintenance equipment; (n) used crates, boxes, burlap bags, and cotton picking sacks, and other used farm products containers; and (o) other farm products and farm equipment, processing machinery, trucks, wagons, railway cars, aircraft, boats, and other means of conveyance, and, unlimited by the foregoing, any other products and articles of any character whatsoever, not covered by paragraphs (a) through (n) of this section, when it is determined in accordance with the regulations that they present a hazard of spread of witchweed. However, the requirements of the quarantine and other regulations with respect to such products, articles, and means of conveyance, are hereby limited to the areas in any quarantined State which may be designated as regulated areas as provided in the regulations, as long as in the judgment of the Administrator of the Agricultural Research Service, the enforcement of the regulations as to such regulated areas will be adequate to prevent the spread of witchweed, except that such limitation is further conditioned upon the affected State's providing regulations for and enforcing control of the movement within such State of witchweed and other regulated articles under the same conditions as those which apply to their interstate movement under the provisions of the currently existing Federal quarantine and other regulations in this subpart, and upon the State's providing regulations for and enforcing such sanitation measures with respect to such areas or portions thereof as, in the judgment of said Administrator, are adequate to prevent the spread of witchweed within such State. Moreover, whenever the Director of the Plant Pest Control Division shall find that facts exist as to the pest risk involved in the movement of one or more of the products, articles, or means of conveyance to which the regulations apply, making it safe to modify by making less stringent the requirements contained in the regulations, except § 301.80-3, he shall set forth and publish such finding in administrative instructions, specifying the manner in which the regulations should be made less stringent, whereupon such modification shall become effective for such period

and for such regulated areas or portion thereof and for such products, articles, and means of conveyance, as shall be specified in said administrative instructions, and every reasonable effort shall be made to give publicity to such administrative instructions throughout the affected areas. Under the Federal Plant Pest Act, no person shall knowingly move any witchweed plants or reproductive parts thereof, including seed, into or through the United States or from any State, Territory, or District of the United States into or through any other such State, Territory, or District, or knowingly accept delivery of such plants or parts so moving, unless such movement is authorized under permit from the Department of Agriculture and is made in accordance with any conditions in the permit and applicable provisions of this subpart.

REGULATIONS

§ 301.80–1 *Definitions.* For the purposes of the provisions in this subpart, except where the context otherwise requires, the following terms shall be construed respectively to mean:

(a) *Witchweed.* Parasitic plants of the genus Striga, and any reproductive parts thereof, including seed.

(b) *Infestation.* The presence of witchweed.

(c) *Regulated area.* Any county, other minor civil division, farm, or other premises, or part thereof, designated in administrative instructions under § 301.80–2 as a regulated area.

(d) *Regulated articles.* Witchweed, means of conveyance, and other products and articles of any character whatsoever, the movement of which is regulated by the witchweed quarantine (§ 301.80) and the regulations in §§ 301.80–1 through 301.80–11.

(e) *"Moved" ("movement," "move").* Shipped, deposited for transmission in the mail, offered for shipment, received for transportation, carried, otherwise transported or moved, or allowed to be moved, by mail or otherwise, by any person, interstate, directly or indirectly. "Movement" and "move" shall be construed accordingly.

(f) *Interstate.* From any State, Territory or District (including possessions and the District of Columbia) of the United States into or through any other such State, Territory, or District.

(g) *Certificate.* A document evidencing compliance with the requirements of this subpart.

(h) *Limited permit.* A document authorizing the movement of regulated articles to a restricted destination for limited handling, utilization, or processing, or for treatment.

(i) *Dealer-carrier agreement.* An agreement to comply with stipulated conditions, executed by persons engaged in purchasing, assembling, exchanging, handling, processing, utilizing, treating, or moving regulated articles.

(j) *Administrative instructions.* Documents relating to the enforcement of the provisions in this subpart issued under authority of such provisions by the Director of the Plant Pest Control Division, Agricultural Research Service.

(k) *Inspector.* An inspector of the United States Department of Agriculture.

(l) *Person.* This term includes any corporation, partnership, firm, company, joint stock company, society, or association, as well as any individual.

§ 301.80–2 *Designation of regulated areas.* The Director of the Plant Pest Control Division shall, from time to time, in administrative instructions promulgated by him, list the counties, other minor civil divisions, farms, and other premises, or parts thereof, in the quarantined States, in which infestation has been determined to exist, or in which it has been determined infestation is likely to exist, or which it is deemed necessary to regulate because of their proximity to infestation or their inseparability for quarantine enforcement purposes from infested localities, and shall designate such civil divisions and premises, and parts thereof, as regulated areas. Any civil division or premises, or part thereof, so designated shall continue in a regulated status until the Director of the Plant Pest Control Division shall have determined that adequate eradication measures have been practiced for a sufficient length of time to eradicate witchweed therein and that regulation of such area is not otherwise necessary under this section, and shall have issued administrative instructions revoking the designation of such civil division, premises, or part thereof, as a regulated area.

§ 301.80–3 *Witchweed; conditions of movement.* Witchweeds may be moved from any State, Territory, or District of the United States into or through any other such State, Territory, or District and delivery of witchweeds so moving may be accepted only if such movement is made for scientific purposes under specific permit from the Director of the Plant Pest Control Division and in accordance with such conditions as may be required in such permit by the Director. The permit shall be securely attached to the outside of the container of the witchweeds when they are so moved.

§ 301.80–4 *Other regulated articles; conditions of movement*—(a) *Designated articles.* Unless exempted by administrative instructions, the following may be moved from any regulated area into or through any point outside of the regulated areas only if accompanied by a valid certificate or limited permit issued in compliance with § 301.80–7 and if the applicable requirements of §§ 301.80–5 and 301.80–6 are also met; soil, separately or with other things; nursery stock and other plants with roots attached; true bulbs, corms, rhizomes and tubers; root crops; hay, straw, fodder, and plant litter of any kind; seed cotton; tobacco; peanuts in shells; ear corn; soybeans; small grains; used farm tools, implements and harvesting machinery; used construction and maintenance equipment; and used crates, boxes, burlap bags, and cotton picking sacks, and other used farm products containers. However, regulated articles of kinds within this paragraph which originate outside of the regulated areas and are moving through or are being reshipped from a regulated area may be moved from such regulated area into or through any point outside of the regulated areas without further restriction under this subpart when their point of origin is clearly indicated, when their identity has been maintained, and when they have been safeguarded against infestation while in the regulated areas in a manner satisfactory to an inspector and do not present a hazard of spread of witchweed. Otherwise such regulated articles shall be subject to all applicable requirements under this subpart for articles originating in the regulated areas.

(b) *Articles determined to present hazards.* When it has been determined by an inspector that, due to contamination with witchweed, a hazard of spread of witchweed is presented by any farm products, farm equipment, processing machinery, trucks, wagons, railway cars, aircraft, boats, other means of conveyance, or, unlimited by the foregoing, any other products or articles of any character whatsoever, not covered by paragraph (a) of this section or § 301.80–3, notice of such fact shall be given to the person having custody thereof. Thereafter, such contaminated articles may be moved from any regulated area into or through any point outside of the regulated areas only after they have been cleaned, treated, or otherwise disinfested to the satisfaction of the inspector or when they are moving under limited permit as required by the inspector.

§ 301.80–5 *Use of certificates or limited permits with shipments.* Every container of regulated articles, or if there is none the article itself, required to have a certificate or limited permit under § 301.80–4 shall have such certificate or permit securely attached to the outside thereof, when offered for movement under said section, except that where the regulated articles are adequately described on a certificate or limited permit attached to the waybill, the attachment of a certificate or limited permit to each container of the articles, or the article itself, will not be required.

§ 301.80–6 *Protecting certified articles.* Subsequent to certification as provided in § 301.80–7, regulated articles must be loaded, handled, and shipped, only under such protection and safeguards against infestation as are required by the inspector.

§ 301.80–7 *Conditions governing the issuance of certificates and limited permits*—(a) *Certificates.* Certificates may be issued by the inspector for the movement of the regulated articles specified in § 301.80–4 (a) under any of the following conditions:

(1) When, in the judgment of the inspector, they have not been exposed to infestation.

(2) When they have been examined by the inspector and found to be free of infestation.

(3) When they have been treated to destroy infestation under the observation of the inspector and in accordance with methods selected by him from administratively authorized procedures known to be effective under the conditions in which applied.

(4) When grown, produced, manufactured, stored or handled in such manner that, in the judgment of the inspector, no infestation would be transmitted thereby.

(b) *Limited permits.* Limited permits may be issued by the inspector for the movement of noncertified regulated articles under § 301.80-4 to specified destinations for limited handling, utilization, or processing, or for treatment.

(c) *Dealer-carrier agreement.* As a condition of issuance of certificates or limited permits for the movement of regulated articles, any person engaged in purchasing, assembling, exchanging, handling, processing, utilizing, treating, or moving such articles may be required to sign a dealer-carrier agreement stipulating that he will maintain such safeguards against the establishment and spread of infestation and comply with such conditions as to the maintenance of identity, handling, and subsequent movement of such articles and the cleaning and treatment of means of conveyance and containers used in the transportation of such articles as may be required by the inspector.

§ 301.80-8 *Assembly of articles for inspection.* Persons intending to move any of the regulated articles under § 301.80-4 shall make application for inspection as far in advance as possible, shall so handle such articles as to safeguard them from infestation, and shall assemble them at such points and in such manner as the inspector shall designate to facilitate inspection.

§ 301.80-9 *Cancellation of certificates or limited permits.* Certificates or limited permits for any regulated articles issued under the regulations in this subpart may be withdrawn or cancelled and further certificates or permits for such articles may be refused by the inspector whenever he determines that the further use of such certificates or permits might result in the spread of witchweed.

§ 301.80-10 *Inspection and disposal.* Any properly identified inspector is authorized to stop and inspect, without a warrant, any person or means of conveyance moving from any State, Territory, or District of the United States into or through any other such State, Territory, or District and any plant pest and any product and article of any character whatsoever carried thereby, upon probable cause to believe that such means of conveyance, product, or article is infested or infected by or contains any plant pest or is moving subject to this subpart or any other regulations under the Federal Plant Pest Act or that such person or means of conveyance is carrying any plant pest subject to that act, and to stop and inspect, without a warrant, any means of conveyance so moving, upon probable cause to believe it is carrying any product or article prohibited or restricted movement under the Plant Quarantine Act or any quarantine or order thereunder. Such inspector is authorized to seize, destroy, or otherwise dispose of, or require disposal of, products, articles, means of conveyance, and plant pests in accordance with section 105 of the Federal Plant Pest Act and section 10 of the Plant Quarantine Act.

§ 301.80-11 *Nonliability of Department.* The United States Department of Agriculture disclaims liability for any cost incident to inspection or treatment required under the provisions in this subpart other than for the services of the inspector.

This quarantine and the related regulations shall be effective on September 6, 1957.

The purpose of the quarantine and regulations is to prevent the spread of the witchweed from North Carolina and South Carolina, where it is known to occur, to other parts of the United States. The regulations provide methods whereby most host material and other carriers may be inspected or treated or otherwise made eligible for interstate movement from the regulated areas. The regulations also govern movement of witchweed for scientific purposes.

The quarantine and regulations are supplemented by administrative instructions listing regulated areas and providing certain exemptions from specified requirements (§§ 301.80-2a, 301.80a, post).

This quarantine and its related regulations should be effective as soon as possible in order to be of maximum benefit in preventing the spread of the witchweed. Accordingly, under section 4 of the Administrative Procedure Act (5 U. S. C. 1003), good cause is found for making them effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D. C., this 30th day of August 1957.

[SEAL] M. R. CLARKSON,
Acting Administrator,
Agricultural Research Service.

[F. R. Doc. 57-7326; Filed, Sept. 5, 1957; 8:51 a. m.]

[P. P. C. 628]

PART 301—DOMESTIC QUARANTINE NOTICES

SUBPART—WITCHWEED

ADMINISTRATIVE INSTRUCTIONS EXEMPTING CERTAIN ARTICLES FROM SPECIFIED REQUIREMENTS

On July 12, 1957, there was published in the FEDERAL REGISTER (22 F. R. 4917), under section 4 of the Administrative Procedure Act (5 U. S. C. 1003), a notice of rule making relating to proposed administrative instructions exempting certain articles from proposed witchweed quarantine regulations (7 CFR 301.80, 301.80-1 et seq., supra). After due consideration of all relevant matters presented, and pursuant to § 301.80 of said regulations under the Federal Plant Pest Act (Public Law 85-36) and sections 8 and 9 of the Plant Quarantine Act of 1912, as amended (7 U. S. C. 161, 162), administrative instructions to be designated as 7 CFR 301.80a are hereby issued as follows:

§ 301.80a *Administrative instructions exempting certain articles from specified requirements.* (a) It has been found that facts exist as to the pest risk involved in the movement of the following regulated articles under the regulations in this subpart which make it safe to make less stringent the requirements of § 301.80-4 (a) of the regulations with respect to the movement of such articles from any regulated area into or through any point outside of the regulated areas, as hereinafter provided. The following articles are hereby exempted from the requirements of § 301.80-4 (a), under the conditions set forth below:

(1) Root crops, such as turnips, carrots, and sweet potatoes, when moving to a designated processing plant, or when washed free of soil and thereafter protected from infestation to the satisfaction of the inspector.

(2) Seed cotton when moving to a designated gin.

(3) Tobacco when moving to a designated warehouse or storage facility, provided it has been subjected to a temperature of 180° F. for 12 hours in the curing barn and subsequently protected from contamination.

(4) Soybeans if the beans and any containers for the beans did not come in contact with the soil during harvesting and if the beans are moving forthwith to a designated oil mill or storage facility for crushing or uses other than planting.

(5) Small grain if the grain and any containers for the grain did not come in contact with the soil during harvesting and if the grain is moving forthwith to a designated storage facility for uses other than planting.

(6) Ear corn when harvested from the stalk and placed, without coming in contact with the soil, in a wagon or truck for direct transportation to storage or other handling facility.

(7) Used farm tools and implements, when washed, steam cleaned or air cleaned, and thereafter protected from infestation, to the satisfaction of the inspector. (This exemption does not apply to mechanical cotton or corn pickers, combines, or hay balers or to cotton picking sacks.)

(b) Information as to designated processing plants, oil mills, warehouses, storage facilities, and gins may be obtained from the inspector.

These administrative instructions shall become effective on September 6, 1957.

The administrative instructions allow the movement of certain articles without a certificate or limited permit or compliance with related requirements under the witchweed quarantine, unless the articles are found by an inspector to present a hazard of spread of witchweed in specific cases. The tobacco exemption has been modified from that stated in the notice of rule making to provide that the tobacco be heated to 180° F. for 12 hours, a normal processing practice, and to require protection from reinfestation after heating.

The instructions provide exemptions from certain restrictions imposed by the witchweed quarantine regulations which are to be made effective as soon as possible. The modification with respect to the tobacco exemption is deemed necessary to provide fullest protection against the spread of witchweed and must be in-

cluded in the instructions. The instructions should be made effective at the same time as the regulations in order to be of maximum benefit to affected shippers. Therefore under section 4 of the Administrative Procedure Act (5 U. S. C. 1003) it is found upon good cause that further notice or other public rule-making procedure with respect to the modified instructions would be impractical and contrary to the public interest, and good cause is found for making the modified instructions effective less than 30 days after publication in the FEDERAL REGISTER.

(Sec. 9, 37 Stat. 318, sec. 106, Pub. Law 85-36, 85th Cong.; 7 U. S. C. 162. Interprets or applies sec. 8, 37 Stat. 318, as amended; 7 U. S. C. 161)

Done at Washington, D. C., this 30th day of August 1957.

[SEAL] E. D. BURGESS,
Director,
Plant Pest Control Division.

[F. R. Doc. 57-7325; Filed, Sept. 5, 1957; 8:51 a. m.]

[P. P. C. 627]

PART 301—DOMESTIC QUARANTINE NOTICES

SUBPART—WITCHWEED

ADMINISTRATIVE INSTRUCTIONS DESIGNATING REGULATED AREAS

On July 12, 1957, there was published in the FEDERAL REGISTER (22 F. R. 4916), under section 4 of the Administrative Procedure Act (5 U. S. C. 1003), a notice of rule making to designate regulated areas under the proposed witchweed quarantine regulations. After due consideration of all relevant matters presented, and pursuant to § 301.80-2 of the regulations supplemental to the witchweed quarantine (7 CFR 301.80-2, supra), under the Federal Plant Pest Act (Public Law 85-36) and sections 8 and 9 of the Plant Quarantine Act of 1912, as amended (7 U. S. C. 161, 162), administrative instructions to appear in 7 CFR 301.80-2a are hereby issued as follows:

§ 301.80-2a *Administrative instructions designating regulated areas under the witchweed quarantine.* Infestations of the witchweed have been determined to exist, in the quarantined States, in the civil divisions and premises, or parts thereof, listed below, or it has been determined that such infestation is likely to exist therein, or it is deemed necessary to regulate such localities because of their proximity to infestation or their inseparability for quarantine enforcement purposes from infested localities. Accordingly, such civil divisions and premises, and parts thereof, are hereby designated as witchweed regulated areas within the meaning of the provisions in this subpart:

NORTH CAROLINA

Bladen County. That area of Bladen County lying west and north of U. S. Highway No. 701.

Columbus County. The area bounded by a line beginning at a point where North Carolina Highway No. 410 crosses the Columbus-Bladen County Line and extending south along said highway to its intersection with the Atlantic Coastline Railroad, thence westward along said railroad to its intersection with the Columbus-Robeson County Line (including the area within the corporate limits of the Town of Fair Bluff), thence northeasterly along said county line to the Columbus-Bladen County Line, thence southeast along said county line to the point of beginning.

The Maggie Hobbs farm located one mile south of the Bladen-Columbus County Line on the west side of Mount Olive-Bladenboro Road, including all highways and roadways abutting thereon.

The George Elkin farm located on a dirt road one mile south of the junction of said dirt road with U. S. Highway No. 701, said junction being 2.7 miles southwest of the Columbus-Bladen County Line, including all highways and roadways abutting thereon.

The Malcolm Ransom farm located one mile south of the Bladen-Columbus County Line on the east side of Mount Olive-Bladenboro Road, including all highways and roadways abutting thereon.

The Chadbourn Veneer Company property, located in the Town of Chadbourn, south of the Atlantic Coastline Railroad tracks and approximately 0.1 mile east of the Town Hall, including all highways and roadways abutting thereon.

The Minnie I. Tedder farm located six miles southeast of Chadbourn on the west side of Hewitt Road, including all highways and roadways abutting thereon.

Cumberland County. The area bounded on the north by State Highway No. 24, on the east by the Cumberland-Sampson County Line, on the south by the Cumberland-Bladen County Line and the Cumberland-Robeson County Line, and on the west by U. S. Highway No. 301, excluding the area within the corporate limits of the City of Fayetteville.

The Mrs. D. D. Carter farm located 1.5 miles east of Vander at the junction of the Clement Road with State Highway No. 24, including all highways and roadways abutting thereon.

Harnett County. The area included within a circle having a three-mile radius and center at the point where the Overhills-Lillington dirt road crosses McLeod Creek.

Hoke County. The Edwin Pate, Jr., farm operated by Marshall Hearn, located on a dirt road 0.5 mile north of the junction of said dirt road with the Anticok-Dundarrach Road, said junction being 0.5 mile southwest of Dundarrach, including all highways and roadways abutting thereon.

Robeson County. All of Robeson County.

Sampson County. The area bounded by a line beginning at a point where Big Swamp empties into South River and extending northwesterly along said river to its junction with North Carolina Highway No. 24, thence eastward along said highway to its junction with Autryville-Salemburg Highway, thence northeasterly along said highway to its intersection with Big Swamp, thence following Big Swamp in a southerly direction to the point of beginning, excluding the area within the corporate limits of the Town of Autryville.

The H. A. Pope farm located on the west side of Old Fayetteville Road, 1.8 miles southeast of the junction of Old Fayetteville Road and North Carolina Highway No. 24, said junction being 2.5 miles northwest of Roseboro, including all highways and roadways abutting thereon.

The J. F. Simmons farm located on a dirt road, one mile west of the junction of said dirt road and North Carolina Highway No. 411, said junction being 3.5 miles north of Parkersburg, including all highways and roadways abutting thereon.

The Lulia Brinson farm located on a dirt road, one mile east of the junction of said dirt road and North Carolina Highway No. 411, said junction being three miles northeast of Parkersburg, including all highways and roadways abutting thereon.

The D. D. McLarium farm located on the south side of Loop Road, 1.3 miles north of the junction of said Loop Road and North Carolina Highway No. 24, said junction being 1.8 miles east of Roseboro, including all highways and roadways abutting thereon.

The Earl Patterson farm located on the south side of a dirt road, two miles south of the junction of said dirt road and the Salemburg-Clinton Highway, said junction being 2.1 miles northeast of Salemburg, including all highways and roadways abutting thereon.

The James Howard farm located on the east side of a dirt road, one mile southeast of the junction of said dirt road and Clement-Halls Store Road, said junction being 2.1 miles northeast of Clement, including all highways and roadways abutting thereon.

Scotland County. That area within Scotland County included within a circle having a 4.3 miles radius and center at Johns.

The William Cagle farm located on the Laurinburg-Maxton Air Base Road, one mile north of the Air Base, including all highways and roadways abutting thereon.

SOUTH CAROLINA

Darlington County. The J. B. Howle farm located on a dirt road, 0.6 mile northeast of the junction of said dirt road and South Carolina State Secondary Highway No. 29, said junction being 1.8 miles northwest of Mechanicsville, including all highways and roadways abutting thereon.

Dillon County. The portion of the county lying east of the Seaboard Airline Railroad right-of-way, said right-of-way beginning at Smithboro, and extending in a northwesterly direction to the Dillon-Marlboro County Line.

The southwestern portion of the county bounded by a line beginning at a point where Little Reedy Creek crosses the Dillon-Marlboro County Line, thence southeasterly along said creek to its junction with Buck Swamp and continuing in a southeasterly direction along Buck Swamp to its junction with U. S. Highway No. 301, thence along said highway in a southwesterly direction to the Dillon-Marion County Line, thence in a southwesterly direction along said county line to the Great Pee Dee River, thence along said river in a northwesterly direction to the Dillon-Marlboro County Line, thence along the Dillon-Marlboro County Line to the point of beginning.

Horry County. The northwestern portion of the county bounded by a line beginning at a point where U. S. Highway 76 crosses the North Carolina-South Carolina State Line and extending southwest along said highway to its junction with South Carolina Secondary Highway No. 44, thence southwest along said secondary highway to its junction with South Carolina Secondary Highway No. 19, and continuing southeast along said highway No. 19 to its junction with Lake Swamp Creek, thence in a westerly and southerly direction along Lake Swamp Creek to the Little Pee Dee River, thence in a northeasterly direction along said river to the Lumber River, thence in a northeasterly direction along said river to the North Carolina State Line, thence in a southeasterly direction along the North Carolina-South Carolina State Line to the point of beginning.

That area included within a circle having a five mile radius and center at Good Hope Church located on South Carolina State Secondary Highway No. 97, including all highways and roadways abutting thereon.

The George H. Harrelson farm located on the north side of a dirt road, 0.6 mile west of the junction of said dirt road and South Carolina State Secondary Highway No. 31, said junction being approximately one mile north of Red Bluff Crossroads, including all highways and roadways abutting thereon.

The Hortense Hughes farm located on the south side of a dirt road, 0.5 mile west of the junction of said dirt road with South Carolina State Secondary Highway No. 31, said junction being approximately 1.5 miles north of Red Bluff Crossroads, including all highways and roadways abutting thereon.

Marion County. An area bounded by a line beginning at the junction of the Little Pee Dee River and South Carolina Secondary Highway No. 60 and extending northeasterly along said highway to its junction with South Carolina Secondary Highway No. 30, thence along said highway No. 30 southeasterly to the corporate limits of the City of Nichols, thence southerly along said corporate limits to the junction of U. S. Highway No. 76, thence southwesterly along said highway to the Little Pee Dee River, thence along said river in a northwesterly direction to the point of beginning, including all highways and roadways abutting thereon.

That area bounded by a line beginning at a point where South Carolina Primary Highway No. 41 crosses the Marion-Dillon County Line and extending southerly along said highway to its junction with South Carolina Primary Highway No. 41A, thence northwesterly along said highway to its junction with U. S. Highway No. 501, thence northwesterly along said highway to its junction with the Marion-Dillon County Line, thence easterly along said county line to the point of begining, excluding the area within the corporate limits of the Towns of Mullins and Marion.

The Walter W. Larrimore farm located on the north side of U. S. Highway No. 378, 0.3 mile northwest of the Potato Bed Ferry Bridge across the Little Pee Dee River, including all highways and roadways abutting thereon.

The Mrs. John Steadman farm, located on the north side of U. S. Highway No. 378, 0.3 mile northwest of the Potato Bed Ferry Bridge across the Little Pee Dee River, including all highways and roadways abutting thereon.

Marlboro County. The southern portion of the county bounded on the east by the Dillon-Marlboro County Line, on the south by the Florence-Marlboro County Line, on the west by the Darlington-Marlboro County Line, and on the north by South Carolina Secondary Highway No. 57 and South Carolina Secondary Highway No. 49, including all highways and roadways abutting thereon.

The area bounded by a line beginning at a point where U. S. Highway No. 15 crosses the North Carolina-South Carolina State Line, and extending thence in a southeasterly direction along said state line to the Dillon-Marlboro County Line, thence in a southwesterly direction along said county line to its intersection with South Carolina Primary Highway No. 9, thence along said highway No. 9 in a northwesterly direction to its intersection with U. S. Highway No. 15, thence in a northeasterly direction along said highway No. 15 to the point of beginning, including all highways and roadways abutting thereon.

These administrative instructions shall become effective September 6, 1957.

Since publication in the notice of rule making on July 12, 1957, of the proposed designation of regulated areas, a number of additional witchweed infestations have been discovered. Consequently, the regulated areas designated hereby are greater in number and scope than proposed in the notice.

These administrative instructions list the areas that are regulated under the new witchweed quarantine to become effective September 6, 1957. They must be made effective concurrently with such quarantine to effectuate the purposes thereof. Accordingly, under section 4 of the Administrative Procedure Act (5 U. S. C. 1003), it is found upon good cause that further notice of rule making and other public procedure with respect to the instructions would be impracticable and contrary to the public interest and good cause is found for making the instructions effective less than 30 days after publication in the FEDERAL REGISTER.

(Sec. 9, 37 Stat. 318, sec. 106, Pub. Law 85-36, 85th Cong.; 7 U. S. C. 162. Interprets or applies sec. 8, 37 Stat. 318, as amended; 7 U. S. C. 161)

Done at Washington, D. C., this 30th day of August 1957.

[SEAL] E. D. BURGESS,
Director,
Plant Pest Control Division.

[F. R. Doc. 57-7324; Filed, Sept. 5, 1957; 8:51 a. m.]

Chapter VII—Commodity Stabilization Service (Farm Marketing Quotas and Acreage Allotments), Department of Agriculture

PART 728—WHEAT

SUBPART—1958-59 MARKETING YEAR

COUNTY ACREAGE ALLOTMENTS FOR 1958 CROP OF WHEAT

Correction

In F. R. Document 57-6829 appearing in the issue for Friday, August 23, 1957, at page 6821, make the following change for the State of New York: In column 2, opposite the entry for Broome, the figure "283" should read "238".

Chapter IX—Agricultural Marketing Service (Marketing Agreements and Orders), Department of Agriculture

[959.315 Amdt. 1]

PART 959—IRISH POTATOES GROWN IN MODOC AND SISKIYOU COUNTIES, CALIF. AND IN ALL COUNTIES IN OREGON EXCEPT MALHEUR COUNTY

LIMITATION OF SHIPMENTS

Findings. (a) Pursuant to Marketing Agreement No. 114, as amended, and Order No. 59, as amended (7 CFR Part 959), regulating the handling of Irish potatoes grown in Modoc and Siskiyou Counties in California and in all counties in Oregon, except Malheur County, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.), and upon the basis of the recommendation and information submitted by the Oregon-California Potato Committee, established pursuant to said marketing agreement and amended order, and upon other available information, it is hereby found that the amendment to the limitation of shipments, as hereinafter provided, will tend to effectuate the declared policy of the act.

(b) It is hereby found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this amendment until 30 days after publication in the FEDERAL REGISTER (5 U. S. C. 1001 et seq.) in that (1) the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient; (2) more orderly marketing in the public interest, than would otherwise prevail, will be promoted by regulating on and after the effective date of this amendment the shipment of potatoes in the manner hereinafter set forth; (3) compliance with this amendment will not require any special preparation on the part of handlers which cannot be completed by the effective date; (4) reasonable time is permitted, under the circumstances, for such preparation; and (5) information regarding the committee's recommendation has been made available to producers and handlers in the production area.

Order, as amended. The provisions of paragraph (b) (2) of § 959.315 (FEDERAL REGISTER July 13, 1957; 22 F. R. 5532) are hereby amended to read as follows:

(2) During the period from September 9, 1957, through June 30, 1958, and subject to the requirements set forth in subparagraph (1) of this paragraph, no handler shall ship:

(i) Potatoes of any variety grown in District No. 1, 2, or 4 if such potatoes are more than "slightly skinned," as such term is defined in said United States Standards, which means that not more than ten percent of such potatoes have more than one-fourth of the skin missing or "feathered"; or

(ii) Potatoes of any variety grown in District No. 3 if such potatoes are more than "moderately skinned," as such term is defined in said United States Standards, which means that not more than ten percent of such potatoes have more than one-half of the skin missing or "feathered": *Provided,* That during such period, any handler may ship not to exceed a total of 100 hundredweight of each variety of such potatoes every seven days without regard to the aforesaid skinning requirements if prior to such handling the handler reports to the Oregon-California Potato Committee the name and address of the producer of such potatoes, and each such shipment is handled as an identifiable entity.

Except as otherwise provided, terms used in this amendment shall have the same meaning as when used in said marketing agreement, as amended, and order, as amended.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. 608c)

Dated: September 3, 1957, to become effective September 9, 1957.

[SEAL] S. R. SMITH,
Director,
Fruit and Vegetable Division.

[F. R. Doc. 57-7321; Filed, Sept. 5, 1957; 8:51 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—Bureau of Land Management, Department of the Interior

Appendix—Public Land Orders

[Public Land Order 1464]

[Oregon 04996]

OREGON

Correction

In F. R. Doc. 57-6636, appearing at page 6511 of the issue for Wednesday, August 14, 1957, the following change should be made:

That portion of the seventh line following the heading in the land description, now reading "Sec. 36, N½NW½," should read "Sec. 36, N½NW¼,".

[Public Land Order 1477]

[1825763]

UTAH

PARTIALLY REVOKING EXECUTIVE ORDERS NOS. 8579 OF OCTOBER 29, 1940 AND 8652 OF JANUARY 28, 1941, WHICH RESERVED LANDS FOR USE OF THE WAR DEPARTMENT AS AN AERIAL BOMBING AND GUNNERY RANGE

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

1. Executive Orders Nos. 8579 of October 29, 1940, and 8652 of January 28, 1941, which reserved the public lands within described areas in Utah for use of the War Department as an aerial bombing and gunnery range, are hereby revoked so far as they affect the following-described lands:

IN EXECUTIVE ORDER NO. 8579

SALT LAKE MERIDIAN

T. 1 N., Rgs. 12, 13, and 14 W., unsurveyed.
T. 1 S., Rgs. 12, 13, and 14 W., unsurveyed.
T. 1 S., R. 15 W.,
Secs. 19 to 36, inclusive.
T. 1 S., R. 16 W.,
Secs. 19 to 36, inclusive.
T. 1 S., R. 17 W.,
Secs. 19 to 36, inclusive.
T. 1½ S., R. 15 W.,
Secs. 31 to 36, inclusive.
T. 2 S., Rgs. 12 and 13 W., unsurveyed.
Secs. 1 to 18, inclusive.
T. 2 S., Rgs. 14, 15, 16, and 17 W.,
Secs. 1 to 18, inclusive.

The areas described aggregate 248,810.84 acres.

Excepting, however, a strip of land in T. 1 N., and 1 S., R. 12 W., containing approximately 275.48 acres, which will remain withdrawn in connection with its continued use by the Department of the Air Force as a low flight strip.

IN EXECUTIVE ORDER NO. 8652

SALT LAKE MERIDIAN

T. 1 N., R. 15 W.,
T. 1 S., R. 15 W.,
Secs. 1 to 18, inclusive.
T. 2 S., R. 18 W.,
Sec. 1, lots 1, 2, S½NE¼, SE¼, SE¼NW¼, NE¼SW¼, E½NW¼SW¼, and S½SW¼;
Sec. 11, E½NE¼NE¼, SE¼NE¼, E½SW¼NE¼, E½NE¼SW¼, SE¼SW¼, E½SW¼SW¼, and SE¼;
Secs. 12, 13, and 14;
Sec. 15, E½NE¼NE¼, SE¼NE¼, E½SW¼NE¼, and S½.

The areas described aggregate 37,591.04 acres.

2. The following-described lands in the areas described in paragraph 1 of this order have been patented without a reservation of minerals to the United States:

SALT LAKE MERIDIAN

T. 2 S., R. 14 W.,
Sec. 21.
T. 1 S., R. 15 W.,
Sec. 26, W½;
Sec. 35, W½.
T. 2 S., R. 15 W.,
Sec. 2, lots 3, 4, S½NW¼, and SW¼;
Sec. 7, lots 7, 8, SE¼SW¼, and S½SE¼;
Sec. 8, S½S½;
Sec. 11, W½;
Sec. 14, W½;
Sec. 16, W½;
Sec. 17, E½.
T. 1 S., R. 16 W.,
Sec. 21.
T. 2 S., R. 16 W.,
Sec. 5, lots 1, 2, S½NE¼, and SE¼;
Sec. 8, E½;
Sec. 9, S½;
Sec. 10, S½;
Sec. 11, S½;
Sec. 12, S½;
Sec. 17, E½.
T. 1 S., R. 17 W.,
Sec. 19, lots 1, 2, 3, 4, NE¼NW¼, W½SE¼NW¼, and W½NE¼SW¼;
Sec. 30, lot 1, W½ of lot 2, and W½ of lot 3.

The areas described aggregate 6,561.28 acres.

3. The following-described lands in the areas described in paragraph 1 of this order are state school lands:

SALT LAKE MERIDIAN

T. 1 N., R. 15 W.,
Sec. 16, S½NE¼, E½, and SE¼;
Secs. 32 and 36.
T. 2 S., R. 14 W.,
Secs. 2 and 16.
T. 1 S., R. 15 W.,
Secs. 2, 16, 32, and 36.
T. 1½ S., R. 15 W.,
Secs. 32 and 36.
T. 2 S., R. 15 W.,
Sec. 2, lots 1, 2, S½NE¼, and SE¼;
Sec. 16, E½.
T. 1 S., R. 16 W.,
Secs. 32 and 36.
T. 2 S., R. 16 W.,
Secs. 2 and 16.
T. 1 S., R. 17 W.,
Secs. 32 and 36.
T. 2 S., R. 17 W.,
Secs. 2 and 16.

The areas described aggregate 12,284.19 acres.

4. Sections 14, 15, 22, and 23, T. 1 S., R. 12 W., will remain within the withdrawal made by Executive Order No. 4872 of May 3, 1928, for use of the Department of Commerce as an air navigation site. The NE¼, sec. 18, T. 1 S., R. 14 W., is within Air Navigation Withdrawal No. 70, created by departmental order of October 20, 1931.

5. The remaining lands, aggregating approximately 263,036 acres, are located on the salt flats to the east of Wendover, Utah. They are barren of vegetation and have no value for grazing purposes. The released land is a portion of the Wendover Bombing and Gunnery Range.

6. No application for the opened lands may be allowed under the homestead, desert-land, small tract or any other nonmineral public-land law unless the lands have already been classified as valuable or suitable for such type of application. Any application that is filed will be considered on its merits. The lands will not be subject to occupancy or disposition until they have been classified.

7. Subject to any valid existing rights and the requirements of applicable law, the public lands released from withdrawal by this order, are hereby opened to filing of applications, selections, and locations in accordance with the following; the unsurveyed lands being opened to such applications, selections, and locations as are allowable on unsurveyed lands.

(a) Applications and selections under the nonmineral public-land laws may be presented to the Manager mentioned below, beginning on the date of this order. Such applications and selections will be considered as filed on the hour and respective dates shown for the various classes enumerated in the following paragraphs:

(1) Applications by persons having prior existing valid settlement rights, preference rights conferred by existing laws, or equitable claims subject to allowance and confirmation will be adjudicated on the facts presented in support of each claim or right. All applications by persons other than those referred to in this paragraph will be subject to the applications and claims mentioned in this paragraph.

(2) All valid applications for surveyed lands under the Homestead, Desert Land, and Small Tract Laws and for unsurveyed lands under the Small Tract Laws by qualified veterans of World War II or of the Korean Conflict, and by others entitled to preference rights under the act of September 27, 1944 (58 Stat. 747; 43 U. S. C. 279-284) as amended, presented prior to 10 a. m., on October 5, 1957, will be considered as simultaneously filed at that hour. Rights under such preference right applications filed after that hour and before 10:00 a. m., on January 4, 1958, will be governed by the time of filing.

(3) All valid applications and selections under the nonmineral public-land laws, other than those coming under paragraphs 7 (a) (1) and 7 (a) (2) above, and applications and offers under the Mineral Leasing Laws presented prior to 10:00 a. m., on January 4, 1958, will be considered as simultaneously filed at that hour. Rights under such applications and selections filed after that hour will be governed by the time of filing.

(b) The opened lands will be open to applications and offers under the mineral-leasing laws, and to location under the United States mining laws beginning at 10:00 a. m., on January 4, 1958.

8. Persons claiming veterans preference rights under paragraph 7 (a) (2) above, must enclose with their applications proper evidence of military or naval service, preferably a complete photostatic copy of the certificate of honorable discharge. Persons claiming

preference rights based upon valid settlement, statutory preference, or equitable claims must enclose properly corroborated statements in support of their claims. Detailed rules and regulations governing applications which may be filed pursuant to this notice can be found in Title 43 of the Code of Federal Regulations.

Inquiries concerning, the lands shall be addressed to the Manager, Land Office, Bureau of Land Management, Salt Lake City, Utah.

ROGER C. ERNST,
Assistant Secretary of the Interior.

AUGUST 30, 1957.

[F. R. Doc. 57-7294; Filed, Sept. 5, 1957; 8:47 a. m.]

TITLE 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Department of Health, Education, and Welfare

Subchapter C—Drugs

PART 146—GENERAL REGULATIONS FOR THE CERTIFICATION OF ANTIBIOTIC AND ANTIBIOTIC-CONTAINING DRUGS

ANIMAL FEEDS CONTAINING ANTIBIOTIC DRUGS

Under the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (sec. 507, 59 Stat. 463, as amended; sec. 701, 52 Stat. 1055, as amended; 21 U. S. C. 357, 371) and delegated to the Commissioner of Food and Drugs by the Secretary (22 F. R. 1045), the general regulations for the certification of antibiotic and antibiotic-containing drugs (21 CFR, 1956 Supp., 146.26; 22 F. R. 1932) are amended as follows:

1. Section 146.26 (b) (9) is amended by adding thereto the following sentence: "When intended for the uses specified in this subparagraph, it may also contain, in the amount specified, one, but only one, of the ingredients prescribed by paragraph (a) of this section."

2. Section 146.26 (b) (10) is amended by adding thereto the following sentence: "When intended for the uses specified in this subparagraph, it may also contain, in the amount specified, one, but only one, of the ingredients prescribed by paragraph (a) of this section."

3. Section 146.26 (b) (27) is amended to read as follows:

(27) It is intended for use as an aid in maintaining or increasing egg production, hatchability of eggs, prevention of early mortality of chicks when due to organisms that are sensitive to chlortetracycline, and for improving feed efficiency as related to egg production; its labeling bears adequate directions and warnings for such use; and it contains not less than 50 grams of chlortetracycline per ton of feed, except that if it is intended for use in the presence of disease outbreaks it shall contain not less than 100 grams of chlortetracycline per ton of feed.

4. Section 146.26 (b) is amended by adding thereto the following new subparagraphs:

(30) It is intended for use as an aid in the prevention of early mortality of chicks when due to organisms that are sensitive to streptomycin and penicillin; its labeling bears adequate directions and warnings for such use; and it contains, per ton of feed, not less than 75 grams of streptomycin and 15 grams of penicillin.

(31) It is intended for use in nursing sows to stimulate milk flow; it contains 100 milligrams of iodinated casein per pound; and its labeling bears information that it is to be administered as the complete ration for 3 days before farrowing and for the first week of lactation. It may also be intended for use in the prevention or treatment of bacterial swine enteritis if it contains the antibiotics in the amounts prescribed by this section for that disease.

Notice and public procedure are not necessary prerequisites to the promulgation of this order, and I so find, since it was drawn in collaboration with interested members of the affected industry, since it relaxes certain requirements, and since it would be against public interest to delay publication of these amendments.

I further find that animal feeds containing antibiotic drugs and conforming with the conditions prescribed in these amendments need not comply with the requirements of sections 502 (1) and 507 of the Federal Food, Drug, and Cosmetic Act in order to ensure their safety and efficacy.

Effective date. This order shall become effective upon publication in the FEDERAL REGISTER.

(Sec. 701, 52 Stat. 1055, as amended; 21 U. S. C. 371. Interpret or apply secs. 502, 507, 52 Stat. 1051, 59 Stat. 463, as amended; 21 U. S. C. 352, 357)

Dated: August 30, 1957.

[SEAL] JOHN L. HARVEY,
Deputy Commissioner of Food and Drugs.

[F. R. Doc. 57-7289; Filed, Sept. 5, 1957; 8:46 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter I—Office of the Secretary of Defense

Subchapter C—Military Personnel

PART 56—MEDICAL CARE FOR DEPENDENTS OF MEMBERS OF THE UNIFORMED SERVICES

HOSPITAL

The following amendment to § 56.5-3 (a) (1) of this Part 56 has been authorized by the Secretary of Defense and the Secretary of Health, Education, and Welfare:

(1) *Hospital.* The word "hospital" shall mean only an institution which is operated in accordance with the laws of the jurisdiction in which it is located pertaining to institutions identified as hospitals, is primarily engaged in providing diagnostic and therapeutic facilities for surgical and medical diagnosis, treatment and care of injured and sick persons by or under the supervision of staff physicians or surgeons, and continuously provides 24-hour nursing service by registered graduate nurses. It shall specifically exclude any institution which is primarily a place of rest, a place for the aged, a place for the treatment of drug addiction or alcoholism, a nursing home, a convalescent home, or a facility operated by the Federal Government or any agency thereof, except Freedmen's Hospital, Washington, D. C. If the experience of the Executive Agent indicates that the care provided in a hospital is substandard, or charges of a hospital are excessive, Government approval of its use in the future may be withdrawn and payment of charges by the Government denied for patients admitted subsequent to the withdrawal of approval unless the case is certified as an emergency by the attending physician or surgeon.

(Secs. 101-103, 201-204, 301-305, 70 Stat. 250-254; 37 U. S. C. 401-403, 411-414, 421-423, 404-405)

MAURICE W. ROCHE,
Administrative Secretary.

Approved: August 14, 1957.

FRANK B. BERRY,
Assistant Secretary of Defense (Health and Medical).

Approved: August 27, 1957.

EDWARD FOSS WILSON,
Acting Secretary of Health, Education, and Welfare.

[F. R. Doc. 57-7282; Filed, Sept. 5, 1957; 8:45 a. m.]

TITLE 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

PART 110—DESTRUCTION OF RECORDS

SUBPART A—RAILROAD COMPANIES

At a session of the Interstate Commerce Commission, Division 2, held at its office in Washington, D. C., on the 21st day of August A. D. 1957.

The matter of regulations to govern the destruction of records of railroad companies being under consideration pursuant to provisions of section 20 (7) (b) of the Interstate Commerce Act, as amended; and,

It appearing, that a notice of proposed rule making was issued July 3, 1957 showing in detail revised regulations which were receiving consideration, such notice being published in the FEDERAL REGISTER issue of July 18, 1957 (22 F. R. 5713) pursuant to provisions of section 4 (a) of the Administrative Procedure Act; and after consideration of written views or comments received on or before August 15, 1957 as provided in such notice;

It is ordered, That the order entered April 20, 1945 which prescribed the Regulations to Govern the Destruction

of Records of Steam Railroads—Issue of 1945, as subsequently modified by orders entered May 12, 1949, June 27, 1949, and April 16, 1954, respectively, be and it is hereby vacated and set aside effective October 1, 1957, in conformity with which, Part 110 Subpart A (§§ 110.1–110.12) of Title 49 in the Code of Federal Regulations is hereby canceled and the regulations hereinafter prescribed are substituted in lieu thereof, the title of Subpart A being changed to agree with the heading of this order; and,

It is further ordered, That effective October 1, 1957, all carriers by railroad subject to provisions of the Interstate Commerce Act and not independently operated as electric lines, including lessors thereof, shall comply with the Regulations to Govern the Destruction of Records of Railroad Companies—Issue of 1957, which were previously issued as a proposed rule and which are attached hereto and are by this reference made a part hereof, before destroying operating, accounting or financial papers, records, books, blanks, tickets, stubs, correspondence, or documents; and,

It is further ordered, That a copy of this order with the regulations set forth below shall be served on each such carrier by railroad and lessor thereof which is subject to its provisions, and on every trustee, receiver, executor, administrator, or assignee of any such carrier or lessor, and notice of this order shall be given to the general public by depositing a copy thereof with the attached regulations in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

By the Commission, division 2.

[SEAL] HAROLD D. MCCOY, *Secretary.*

Sec.
110.0 Regulations prescribed.
110.1 Introduction.
110.2 Authority to destroy records.
110.3 Photographic copies.
110.4 Supervision of destruction.
110.5 Record of destroyed records.
110.6 Carriers going out of business.
110.7 Prescribed periods of retention.

AUTHORITY: §§ 110.0 to 110.7 issued under sec. 12, 24 Stat. 383, as amended; 49 U. S. C. 12. Interpret or apply sec. 20, 24 Stat. 386, as amended, 49 U. S. C. 20.

SPECIAL NOTE: Section 20 (7) (b) of the Interstate Commerce Act includes the following provision:

Any person who shall knowingly and willfully make, cause to be made, or participate in the making of, any false entry in any annual or other report required under this section to be filed, or in the accounts of any book of accounts or in any records or memoranda kept by a carrier, or required under this section to be kept by a lessor or other person, or who shall knowingly and willfully destroy, mutilate, alter, or by any other means or device falsify the record of any such accounts, records, or memoranda, * * * shall be deemed guilty of a misdemeanor and shall be subject, upon conviction in any court of the United States of competent jurisdiction to a fine of not more than five thousand dollars or imprisonment for not more than two years, or both such fine and imprisonment: *Provided,* That the Commission may in its discretion issue orders specifying such operating, accounting, or financial papers, records, books, blanks, tickets, stubs, correspondence, or documents of such carriers, lessors, or other persons as may, after a reasonable time, be destroyed, and prescribing the length of time the same shall be preserved.

§ 110.0 *Regulations prescribed.* Effective October 1, 1957, all railroad companies not independently operated as electric lines, including lessors thereof, shall comply with the regulations in this subpart before destroying any operating, accounting, or financial papers, records, books, blanks, tickets, stubs, correspondence, or documents.

§ 110.1 *Introduction.* The following regulations specify the records and documents which may be destroyed and prescribe the length of time the same shall be preserved, but mention of a record or document hereinafter imposes no requirement that it shall be installed if its purpose is otherwise being adequately served. Compliance with the regulations in this subpart will not exempt a carrier from statutory requirements, other than provisions of the Interstate Commerce Act, for retention of records or documents for periods longer than those herein prescribed.

§ 110.2 *Authority to destroy records*—(a) *General authority.* Railroad companies which are not independently operated as electric lines may destroy records or documents named or described in these regulations after they have been preserved for the prescribed periods of time. Permanent records are those which may not be destroyed without special authority.

(b) *Special authority.* A carrier subject to the provisions of the regulations in this subpart proposing to destroy records or documents which are not named or described in the regulations in this subpart, or which if named or described have not been retained for the period required by the regulations, may request special authority to destroy them. Applications for such special authority shall describe in detail the records or documents to be destroyed and shall explain why their continued retention is unnecessary.

§ 110.3 *Photographic copies.* (a) Records and documents may be destroyed if they have been suitably photographed, and the microfilm is retained in lieu of the original record or document for the period prescribed for such originals, subject however to the following limitations:

(1) The records listed in § 110.7 with a permanent retention period may not be destroyed after being photographed for preservation unless special authority is first secured as provided in § 110.2 (b).

(2) Records and documents listed in the following items of § 110.7 shall be retained in their original form throughout the entire period of retention prescribed for them respectively, unless special authority to destroy them is first secured as provided in § 110.2 (b):

Item	*Description*
1	Corporate elections.
6	Records of securities owned.
16	Tax records.
51 (a)	Original payrolls and summaries.
55 (a)	Registers of audited invoices and vouchers, and indexes thereto.
(b)	Paid drafts, paid checks, and receipts for cash paid out.
(c)	Paid and canceled vouchers, audit office copies of vouchers, and supporting papers.
60 (a)	Registers of bills collectible and indexes thereto.
70 (c)	Records and memoranda pertaining to depreciation of road and equipment.
(d)	Contracts and other agreements relating to the construction, acquisition, or sale of road property.
334	Correspondence which pertains to records or documents required by this subsection to be retained in original form.

(3) The records and documents listed below, which are required under the regulations in this subpart to be retained two years or more, shall be retained in their original form at least two years, even after they have been photographed for preservation:

Item	*Description*
13	Original records summarizing the results of or non-carrier operations for entry in the general books.
21	Miscellaneous records pertaining to agents' accounts.
30	Records of revenue.
31	Interline freight settlements.
33	Records of passenger receipts.
36	Records of revenue from operations other than transportation.
50	Labor records which pertain to transportation employees covered by the Hours of Service Act.
110	Signal department records.
132	Records and reports of equipment in and out of service.
151	Diversion of freight.
173	Records of hours of service.
179	Car movements.
180	Car distribution.
210	Claim register.
211	Claim papers.
230 to 257	Agencies, yards, and accounting bureaus.
270 to 283	Joint associations, bureaus, and similar agencies.
300 (k) to 300 (o)	Locomotive inspection and repair reports.
334	Correspondence which pertains to records or documents required by this subsection to be retained two years in original form.

(b) To be acceptable in lieu of original records, photographic copies must meet the following minimum requirements:

(1) Photographic copies shall be no less readily accessible than the original record or document as normally filed or preserved would be, and suitable means or facilities shall be available to locate, identify, read, or reproduce such photographic copies.

(2) Any significant characteristic, feature, or other attribute of the original record or document, which photography in black and white will not preserve, shall be clearly indicated before the photograph is made.

(3) The reverse side of printed forms need not be copied if nothing has been added to the printed matter common to all such forms, but an identified specimen of such form shall be on the film for reference.

(4) Film used for photographing copies shall be of permanent record type

meeting in all respects the minimum specifications of the National Bureau of Standards, and all processes recommended by the manufacturer shall be observed to protect it from deterioration or accidental destruction.

§ 110.4 *Supervision of destruction.* (a) Within six months after the effective date of the regulations in this subpart, or within six months after becoming subject to this provision, each carrier shall appoint an officer or other responsible employee to supervise the destruction of records and documents. Such appointment shall be by formal corporate act of the carrier's Board of Directors.

(b) Authority to supervise the destruction of carrier records maintained by an association, joint bureau, etc., may be delegated to the manager or other chief officer by the supervising officer of each member line.

(c) The Board of Directors at its option may by a similar formal act of appointment delegate to a bank, trust company, or similar institution having custody of railroad records in the normal course of business, the authority to destroy such records upon compliance with the requirements of the regulations in this subpart.

§ 110.5 *Record of destroyed records.* (a) The supervising officer or other designated employee shall maintain a record of all carrier records and documents which have been destroyed pursuant to the regulations in this subpart, except those the retention of which is optional with the carrier. However, the record shall include all records and documents destroyed under the supervision of persons other than the supervising officer pursuant to § 110.4 (b) and (c), including those the retention of which is optional and which could be omitted if the supervising officer had directed the destruction.

(b) The record shall be available for inspection in the office of the supervising officer and shall be in such detail that the destroyed records or documents may be identified and the time, place, and method of destruction can be established. If the destruction is by accident or at the hand of an unauthorized person not subject to the carrier's control, then the record shall include a statement of the relevant circumstances.

§ 110.6 *Carriers going out of business.* The records and documents relating to operations of a Carrier subject to the regulations in this subpart may be destroyed without regard to the prescribed periods of retention after carrier status is abandoned for purposes of the Interstate Commerce Act: *Provided however,* (a) If the carrier is a corporation being dissolved by act of the authority which created it, the records may not be destroyed until dissolution is otherwise complete, and (b) if the carrier is not incorporated or is being kept alive for purposes other than carrier operations, records relating to former carrier operations may not be destroyed until all transactions relating to such operations are completed.

§ 110.7 *Prescribed periods of retention.* The following list describes the purpose for which a record is necessary and the prescribed periods shall be observed even if a record by some other name serves the described purpose. If identical copies of the same document serve more than one such described purpose, only one copy is required to be retained by the regulations in this subpart.

Item	Description of records	Period to be retained
	CORPORATE AND FINANCIAL	
1	Corporate elections:	
	(a) Proxies of holders of voting securities	3 years.
	(b) Lists of holders of voting securities presented at meetings	Do.
	(c) Qualification oaths of judges of election	Optional.
	(d) Qualification oaths of directors	Do.
	(e) Ballots cast and tabulations of vote	3 years.
	(f) Judges' reports of election results	Do.
2	Minute books of directors', executive committee's, stockholders', and other meetings	Permanent.
3	Code and cipher books, file copies of	Optional.
4	Capital stock records:	
	(a) Capital stock ledger	10 years.
	(b) Capital stock certificates, records of or stubs of	Do.
	NOTE: If the information shown on the stubs described in this item 4 (b) is recorded in permanent records, the stubs are required to be retained only for a period of three years.	
	(c) Stock transfer register	Do.
	(d) Memoranda and bills of sale or of transfer of capital stock	2 years.
	(e) Capital stock subscription notices and requests for allotment	1 year.
	(f) Canceled capital stock certificates. (See item 7.)	
5	Bond records:	
	(a) Registered bond ledger	10 years.
	(b) Records or stubs of bonds	Do.
	NOTE: If the information shown on the stubs described in this item 5 (b) is recorded in permanent records, the stubs are required to be retained only for a period of three years.	
	(c) Memoranda and bills of sale or of transfer of registered bonds	2 years.
	(d) Records of interest coupons paid and unpaid	Do.
	(e) Funded debt subscription notices and requests for allotment	1 year.
	(f) Canceled bonds, paid interest coupons, and unissued bonds. (See item 7.)	
6	Record of securities owned:	
	Record of securities owned, in treasury, or with custodians	10 years after disposition.
7	Retired securities:	
	Stock certificates, bonds, notes, interest coupons, receiver's certificates, and temporary certificates taken up and canceled.	Optional, but see sec. 110.5.
8	Reports to stockholders:	
	(a) Annual reports or statements to stockholders, file copies of	Permanent.
	(b) Supporting papers	10 years.
9	Ledgers:	
	(a) General and auxiliary ledgers and indexes thereto, except as provided for elsewhere in these regulations.	Permanent.
	(b) Balance sheets of general ledgers	10 years.
	(c) Trial balance sheets of general and auxiliary ledgers	Do.
10	General journals	Permanent.
11	Cash books:	
	(a) Original general cash books	15 years.
	(b) Auxiliary cash books	6 years.
12	Journal entries:	
	(a) Original general journal entries	Permanent.
	(b) Copies of general journal entries and supporting papers	15 years.
13	Original records of auxiliary or noncarrier operations:	
	Original records summarizing the results of auxiliary or noncarrier operations for entry in general books.	Do.
	NOTE: Ledgers, journals, abstracts, reports, vouchers, tickets, etc., shall be retained for the same periods as are provided for similar documents elsewhere in these regulations.	
14	Deeds and other title papers and franchises	Permanent.
15	Contracts, leases, and agreements, except those provided for in items 70 and 230	5 years after termination, expiration or completion.
16	Tax records:	
	(a) Copies of schedules and returns to taxing authorities for tax purposes	6 years.
	(b) Records of appeals, tax bills, and statements	6 years after settlement.
17	Copies of applications to and authorities from regulating bodies for the issuance of stocks, bonds and other securities. (See item 300q.)	Permanent when approved: optional when denied.
18	Fidelity bonds:	
	Records and files of fidelity bonds of employees	3 years after expiration of coverage.
19	Insurance records:	
	(a) Schedules of fire and other insurance, also records of payment of premiums and of amounts recovered.	3 years.
	(b) Insurance policies	2 years after expiration of coverage.
	(c) Record of policies in force	Do.
	(d) Inspector's reports of condition of property	Optional.
	(e) Reports of property in transit covered by insurance, such as cotton at compresses, cotton in transit, etc.	Do.
	(f) Telegraphic reports of merchandise at terminals, in warehouses, compresses, etc.	Do.
	(g) Letter and telegraphic reports of fire damages	Do.
	(h) Reports of minor losses by fire not covered by insurance or less than minimum amount collectible.	Do.
20	Treasurer's records:	
	(a) Statements and summaries of balances on hand and with depositaries	3 years.
	(b) Statements from depositaries of funds received, disbursed, and transferred	Do.
	(c) Authorities for and statements of transfer of funds from one depositary to another.	Do.
	(d) Records pertaining to verifications of treasurer's cash, or securities	2 years.
	(e) Records of outstanding vouchers, checks, drafts, etc., issued and not presented	3 years.

Item	Description of records	Period to be retained
	CORPORATE AND FINANCIAL—continued	
20	Treasurer's records—Continued	
	(f) Periodical statements of working cash balances	Optional.
	(g) Bank deposit books, and stubs, ledgers, or records of checks	3 years.
	(h) Slips or statements giving the postings of miscellaneous receipts and payments of funds.	Do.
	(i) Lists of vouchers, drafts and checks showing mailing dates	Optional.
	(j) Copies of deposit slips	2 years.
21	Miscellaneous records pertaining to agents' accounts:	
	(a) General office records or ledgers of agents' accounts showing debits and credits from various sources.	3 years.
	(b) Records and files of indemnity bonds incident to transportation and other charges.	Do.
	(c) General office records relating to extension of credit for transportation and other charges.	2 years after discontinuance of credit arrangement.
	(d) Statements of corrections in agents' accounts	3 years.
22	Traveling accountants' and auditors' reports:	
	Reports of examinations, audits, and transfers by special accountants, traveling auditors, time inspectors, weight inspectors, etc., and supporting papers.	Do.
	REVENUES	
30	Record of revenue:	
	Records summarizing the debits and credits arising from settlements with agents, conductors, and others, and from interline settlements with other carriers, as follows: freight, passenger, baggage, sleeping car, parlor and chair car, mail, express, other passenger-train, milk, switching, water transfers, dining and buffet, hotel and restaurant, station, train, and boat privileges, parcel room, storage, demurrage, communication, grain elevator, power, rents of buildings and other property, and miscellaneous.	4 years.
31	Interline freight settlements:	
	(a) Abstracts, recapitulations, correction accounts, and summaries	Do.
	(b) Statements of differences	1 year after disposition.
32	Unsettled waybills:	
	(a) Record of unsettled waybills, waybills in suspense, etc	Do.
	(b) Tracers and supporting papers concerning unsettled freight waybills	Until receipt of settlement.
33	Records of passenger receipts:	
	Distribution of revenue statements, or recapitulation of passenger revenue by stations; conductors' accounts; ferry and steamer accounts.	4 Years.
34	Interline passenger fare settlements:	
	Interline ticket reports, summaries, statements of differences, statements of corrections, and accounts current pertaining to settlements of interline passenger revenue between carriers, passenger associations, and mileage and scrip bureaus.	Do.
35	Records of cash fare collections on trains	2 years.
36	Records of revenue from operations other than transportation:	
	(a) Records summarizing the debits and credits to the various accounts	4 years.
	(b) Reports of station and train privileges, parcel and other coin locks, telephone, telegraph, rents, and miscellaneous revenue.	2 years.
	(c) Originals and copies of telegrams	1 year.
	EXPENDITURES	
50	Daily or periodic reports of labor, material and supplies:	
	Time books, time slips, overtime tickets, delayed-time tickets, work orders, job tickets, check rolls, and other papers pertaining to services of employees and reports of material and supplies used.	2 years.
51	Payroll records:	
	(a) Original payrolls and summaries	10 years.
	(b) Applications and authorities for changes in payrolls	Optional.
	(c) Applications for payroll changes not authorized	Do.
	(d) Records and memoranda pertaining to deductions from payrolls	Do.
	(e) Receipted pay checks, receipted time tickets, certificates issued for wages, discharge tickets, and other evidences of payments for services rendered by employees. (See items 20e, g.)	3 years.
	(f) Canceled pay checks drawn in favor of "bearer" in payment of wages for which receipt is shown on payrolls or other records retained by carrier.	Optional.
	(g) Comparative or analytical statements of payrolls	Do.
52	Assignments, attachments, and garnishments:	
	(a) Record of assignment, attachment, and garnishment of employees' salaries	1 year.
	(b) Files containing assignments, attachments, garnishments, notices of suits, notices of release, and correspondence relating thereto.	Do.
53	Distribution of labor expenditures:	
	Records showing the detailed distribution of labor expenditures charged to all accounts, including memoranda and memorandum recapitulation sheets.	4 years.

Item	Description of records	Period to be retained
	EXPENDITURES—continued	
54	Distribution of expenditures for material and supplies:	
	Records and memoranda showing the detailed distribution of expenditures for materials and supplies chargeable to all accounts, including memorandum recapitulation sheets.	4 years.
55	Vouchers:	
	(a) Register of audited invoices and vouchers and indexes thereto	15 years.
	(b) Paid drafts, paid checks, and receipts for cash paid out	6 years.
	(c) Paid and canceled vouchers, audit office copies of vouchers and supporting papers.	Do.
	(d) Lists containing authorities for payments of specific vouchers	2 years.
	(e) Reports of drafts issued by claim agents, station agents, and others	1 year.
	(f) Record or index of vouchers to be made, with notations of dates of issue	Optional.
	(g) Defect and repair cards attached to bills supporting vouchers. (See item 125.)	Do.
	MISCELLANEOUS ACCOUNTS RECEIVABLE	
60	Bills collectible:	
	(a) Register of bills collectible and indexes thereto	15 years.
	(b) Audit office copies of bills issued for collection, and supporting papers which do not accompany the original bills.	4 years.
	(c) Periodical statements of unsettled accounts, except trial balance sheets	Optional.
	(d) Record or index of bills to be issued, with notations of dates of issue	Do.
	ROAD AND EQUIPMENT PROPERTY RECORDS	
70	Road and equipment records:	
	(a) Records and memoranda of the cost or the inventory value of road property	Permanent.
	(b) Records and memoranda of the cost or the inventory value of equipment, including shop and power plant machinery.	3 years after sale or retirement.
	(c) Records and memoranda pertaining to depreciation of road and equipment	20 years.
	(d) Contracts and other agreements relating to the construction, acquisition, or sale of road property.	10 years after termination, expiration or completion of contract or agreement, sale or retirement.
	(e) Contracts and other agreements relating to the construction, acquisition, or sale of equipment.	3 years after termination, expiration or completion of contract or agreement.
	(f) Records, reports, statements, and memoranda showing the details of all debits and credits on account of the cost of road and equipment property, such as labor and material distribution sheets, copies of individuals' and companies' bills, time books, time tickets, work orders, job tickets, check rolls, material requisitions, and similar records if transcribed into records covered by items (a) to (e) above.	3 years. 10 years if not transcribed into records covered by items (a) to (e) above.
	(g) Estimates, authorities for expenditures and completion reports for new lines, extensions, additions and betterments made.	Permanent.
	(h) Estimates, detail records, and memoranda, when the expenditures were not authorized.	Optional.
	(i) Detail records and memoranda used in preparation of estimates, if summarized in records covered by item (g) above.	Do.
71	Engineering records:	
	(a) Maps, profiles, plans, specifications, estimates of work, records of engineering studies, and similar records pertaining to extension, addition, and betterment projects which have been put into execution.	Permanent.
	(b) Maps, profiles, plans, specifications, estimates of work, records of engineering studies and similar records pertaining to extension, addition, and betterment projects which have been abandoned.	3 years after abandonment.
	PURCHASES AND STORES	
80	Material ledgers:	
	(a) Records of material and supplies on hand	4 years.
	(b) Telegraphic reports of supplies on hand other than fuel	Optional.
	(c) Balance sheets of material and supplies received, issued, and on hand at division storehouses, shops, and other places.	2 years.
81	Inventories of materials and supplies:	
	(a) General inventories of materials and supplies on hand, with record of adjustments between accounts.	Do.
	(b) Stock cards, inventory cards, and other detail records pertaining to the taking of inventories, if abstracted into records covered by (a) above.	1 year.
	(c) Minor inventories of materials and supplies on hand, if not used for adjustments.	Do.
82	Purchases and sales:	
	(a) Copies of orders for the purchase of materials and supplies	2 years.
	(b) Invoices for materials and supplies purchased whether attached to vouchers or filed separately. (See item 55c.)	6 years.

Item	Description of records	Period to be retained
	PURCHASES AND STORES—continued	
82	Purchases and sales—Continued	
	(c) Advices from individuals and companies acknowledging receipt of orders for materials and supplies and notices of shipment.	Optional.
	(d) Bids and offers for the sale or purchase of material and supplies	1 year.
	(e) Contracts for the purchase or sale of materials and supplies	4 years.
	(f) Advices or requisitions from storekeepers and others for the purchase of materials and supplies.	2 years.
	(g) Lists or records of invoices transmitted to or from storekeepers	Optional.
	(h) Receipts or delivery tickets issued for material and supplies received in installments and subsequently surrendered with and in support of invoices or bills showing full information.	Do.
	(i) Freight bills covering charges on materials and supplies	4 years.
	(j) Reports of scrap on hand	2 years.
	(k) Authorities for the sale of scrap and other material and supplies	Do.
	(l) Price records of purchases	6 years.
83	Materials and supplies received:	
	(a) Records or reports of materials and supplies received by carriers	5 years.
	(b) Records of inspecting and testing materials and supplies	1 year.
	(c) Records of materials and supplies released and returned to stock	2 years.
	(d) Orders on other carriers for, and records of receipt of, material for repairs of foreign cars.	Do.
84	Materials and supplies issued:	
	(a) Records and reports of materials and supplies issued	3 years.
	(b) Records and reports of materials and supplies transferred from one department or division to another.	2 years.
	(c) Requisitions and receipts for materials and supplies issued	1 year.
	(d) Price records of materials and supplies issued, file copies	4 years.
85	Manufactured stock:	
	(a) Shop orders or requisitions for the manufacture of stock	2 years.
	(b) Records and reports of manufactured stock	Do.
86	Oil and waste reports and records	1 year.
87	Company fuel:	
	(a) Detailed record of fuel purchased	5 years.
	(b) Reports and record of fuel delivered to fueling stations	2 years.
	(c) Records and untranscribed reports of fuel received and issued at fueling stations, except records covered by item (h) below.	Do.
	(d) Reports from fueling stations of fuel received, issued, on hand, and transferred to other stations, if transcribed to records covered by (c) above.	1 year.
	(e) Daily reports of fuel on hand	Optional.
	(f) Reports and records showing the detailed distribution of expenditures for fuel chargeable to all accounts, including fueling station balance sheets.	5 years.
	(g) Reports of labor handling company fuel	1 year.
	(h) Requisitions and receipts from enginemen and others for fuel supplied	Optional.
88	Dining and cafe car supplies:	
	(a) Conductors' and stewards' reports of supplies, drawn, consumed, and on hand	1 year.
	(b) Conductors' and stewards' requisitions and receipts for supplies	Do.
	(c) Commissary inventories	Do.
	WAY AND STRUCTURES	
100	Authorities for expenditures for repairs of roadway and structures	Optional.
101	Records of roadway and track work performed:	
	(a) Reports and records of rail and cross-ties laid, ballast applied, and work performed on roadway and track, by quantities, locations, or otherwise.	2 years.
	(b) Records and reports of spur tracks laid and taken up	Do.
102	Reports and records of repairs and renewals of buildings, bridges, and other structures	Do.
103	Reports of buildings, bridges, and other structures painted	Do.
104	Records of signal servicing and operations	Do.
105	Inspection records:	
	(a) Reports of condition of roadway and structures	Do.
	(b) Reports of inspection of bridges	Do.
	(c) Reports of broken rails	Do.
	(d) Reports of inspection of scales	Do.
106	Reports of derailments	Do.
	RECORDS REQUIRED BY SIGNAL INSPECTION ACT	
110	Signal department records:	
	(a) Tests of gas and vacuum type lightning arresters	1 year.
	(b) Tests of signal mechanisms	2 years.
	(c) Tests of switch circuit controllers	1 year.
	(d) Tests of shunt fouling circuits	Do.
	(e) Tests of electric locks	2 years.
	(f) Tests of relays	Do.
	(g) Tests of insulation resistance	8 years.
	(h) Tests of mechanical locking	4 years.
	(i) Tests of approach locking	1 year.

Item	Description of records	Period to be retained
	RECORDS REQUIRED BY SIGNAL INSPECTION ACT—continued	
110	Signal department records—Continued	
	(j) Tests of time locking	1 year.
	(k) Tests of route locking	Do.
	(l) Tests of indication locking	2 years.
	(m) Tests of traffic locking	1 year.
	(n) Switch obstruction tests	Do.
	(o) Tests of valve locks and valve magnets	Do.
	(p) Tests of cross protection	Do.
	(q) Tests of time releases and timing relays	Do.
	(r) Tests of restoring feature on power switches	Do.
	(s) Tests of movable bridge locking	Do.
	(t) Tests of roadway elements ATC, ATS, and ACS	Do.
	(u) Tests of acknowledgment and cut-in circuits	Do.
	(v) Periodic tests of ATC, ATS, and ACS	Do.
	(w) Tests of engine relays ATC, ATS, and ACS	4 years.
	(x) Daily or after trip tests ATC, ATS, and ACS	1 year.
	(y) Departure test ATC, ATS, and ACS	Do.
	SHOPS AND ENGINEHOUSES	
120	Records and reports of repairs to locomotives, cars, and other equipment	3 years.
121	Authorities for expenditures for repairs to locomotives, cars, and other equipment	Optional.
122	Records and reports of repairs needed on locomotives, cars, and other equipment	Do.
123	Record of locomotive boilers:	
	(a) Steam locomotives	6 years.
	(b) Record of boiler inspection of diesel locomotives, where required	4 years.
124	Records and reports of trucks, wheels, and axles removed and applied:	
	(a) to steam locomotives	6 years.
	(b) to diesel locomotives	Do.
125	Defect and repair cards:	
	(a) Defect and repair cards, stubs or records of	Optional.
	(b) Defect and repair cards attached to bills supporting vouchers. (See item 55g.)	Do.
	(c) Lists and statements transmitting defect and repair cards for preparation of bills.	Do.
	(d) Improper-repair cards	Do.
	(e) Reports of cars forwarded or received under defect cards	Do.
126	Inspection records:	
	(a) Certificates of inspection of equipment purchased	3 years.
	(b) Records and reports of locomotives and cars inspected	1 year.
	(c) Firebox inspection reports	Do.
	(d) Spark-arrester and ashpan inspection reports	Do.
	(e) Locomotive boiler inspection and repair reports. (See items 300k to 300o.)	Do.
127	Records and reports of locomotives and cars received, forwarded, and on hand at shops	2 years.
128	Reports of service and mileage of individual locomotives	Do.
129	Records and reports of cars light-weighed and stenciled	Optional after equipment is retired.
130	Records and reports of equipment numbers changed	2 years.
131	Patent records	Do.
132	Records and reports of equipment in and out of service	1 year.
133	Records and reports of locomotive failures	Do.
134	Records of engines ordered and dispatched	Optional.
135	Reports of passenger cars cleaned, iced, and similarly prepared for service	
	TRAFFIC	
150	Tariffs and other rate authorities:	
	(a) Tariffs, classifications, division sheets, and circulars relative to the transportation of persons or property, in the general files of the traffic or other department in which the complete official file is maintained.	2 years after expiration or cancelation.
	(b) Tariffs, classifications, division sheets, and circulars in other departments and at agencies, if copies of the same issues of such tariffs, etc., are preserved in the general files referred to in (a) above.	Optional after expiration or cancellation.
	(c) Applications for and file copies of special-rate orders authorizing the sale of passenger fare tickets at reduced rates.	2 years.
	(d) Requests and receipts from agents and others for tariffs, classifications, division sheets, and circulars.	Optional.
	(e) Written requests on carrier from persons and companies for quotations of rates and copies of carrier's quotations.	Do.
	(f) Copies of concurrences filed with the Interstate Commerce Commission and with other regulating bodies.	2 years after cancellation.
	(g) Authorities for the transportation of property, free or at reduced rates, and supporting papers.	3 years.
	(h) Correspondence and working papers in connection with the making of rates and compilation of tariffs, classifications, division sheets, and circulars affecting the transportation of persons or property.	3 years after cancellation of tariff, etc.
151	Diversion of freight:	
	Records for diversion or reconsignment of freight	2 years.

Item	Description of records	Period to be retained
	TRAFFIC—continued	
152	Market, weather and crop reports:	
	Market quotations, weather and crop reports, and other surveys received from agents and others, when not affecting claims.	Optional.
153	Public time-tables:	
	Public time-tables and descriptive literature and records and correspondence regarding compilation, publication, and distribution of time-tables, etc., for use of the public.	Do.
154	Ticket records:	
	(a) Copies of orders on printing houses for ticket stock	2 years.
	(b) Record of ticket stock received, issued, and destroyed	Do.
	(c) Requisitions and receipts for tickets and cash fare receipts furnished agents and conductors.	Do.
	(d) Bulletins of tickets lost or stolen	Optional.
	(e) Records and files pertaining to the extension of time limits of tickets, granted	2 years.
	(f) Records and files pertaining to the extension of time limits of tickets, not granted	Optional.
155	Baggage check records:	
	(a) Copies of orders for the purchase of baggage checks	2 years.
	(b) Record of baggage, parcel, and storage checks received, issued and destroyed	Do.
	(c) Requisitions and receipts for baggage checks, excess baggage checks, and storage checks furnished agents, baggagemen, and transfer companies.	Do.
	(d) Bulletins of baggage checks lost or stolen	Optional.
156	Tickets and checks:	
	(a) Used and canceled tickets, checks, etc., the reports of which. showing their sale or issue, have been audited, as follows:	Do.
	Bar checks.	
	Berth checks.	
	Bridge toll tickets.	
	Clergy certificates.	
	Commutation and trip tickets.	
	Exchange train tickets.	
	Extra fare tickets.	
	Ferry tickets.	
	Meal checks.	
	Milk tickets.	
	One-way and round-trip passenger fare tickets upon which the name of the user does not appear:	
	Parlor car tickets.	
	Permits to ride on freight trains.	
	Seat checks.	
	Sleeping car tickets.	
	Train checks.	
	Transfer checks or coupons.	
	Validation pasters when attached to any of the above tickets.	
	Water tickets.	
	(b) Used and canceled tickets, passes, etc., the reports of which, showing their sale or issue, have been audited (except as provided for free tickets in item 178j) as follows:	Do.
	One-way and round-trip passenger fare tickets upon which the name of the user is shown.	
	Trip and telegraphic passes collected.	
	Free passenger fare tickets collected.	
	Prepaid orders.	
	Exchange orders.	
	Validation pasters when attached to any of the above tickets.	
	Stop-over pasters.	
	(c) Used mileage books and scrip books on which the name of user is shown and passenger-fare credentials, the reports of which showing their sale or issue have been audited; coupons, auditors' stubs, contract portion signed by purchaser and other detachments from such books on which transportation has been performed; and identification slips required by the conditions of any of these tickets.	6 months.
	(d) Used mileage books and scrip books on which the name of the user is not shown, the reports of which showing their sale or issue have been audited, and the coupons, auditors' stubs, and other detachments from such books on which transportation has been performed.	Optional.
	(e) Used caretakers' tickets	2 years.
	(f) Used baggage checks, parcel room checks, storage checks, excess baggage checks (including C. O. D.), excess baggage book coupons, and baggage scrip, the reports of which have been audited.	Optional.
	(g) Unused or unissued tickets, if record is kept in accordance with item 154 (b)	Do.
	(h) Unused baggage checks, if record is kept in accordance with item 155 (b)	Do.
	(i) Redeemed tickets, redeemed mileage and scrip book covers, and redeemed credentials.	6 months.
	(j) Redeemed portions of conductor's cash fare and duplex tickets	Do.
	(k) Redeemed and canceled orders issued by conductors for refund of extra fares assessed on extra-fare trains.	Do.
	(l) Used book ticket stubs	Do.

Item	Description of records	Period to be retained
	TRAFFIC—continued	
157	Records and reports of tickets redeemed, including claimant's receipt for cash refund	2 years.
158	Records, circulars, and settlements, regarding conventions, excursions, and similar matters.	Do.
	TRANSPORTATION	
170	Dispatchers' records:	
	(a) Train sheets	3 years.
	(b) Train-order books or dispatchers' copies of train orders	Do.
	(c) Train orders—operators' copies	6 months.
	(d) Train orders—trainmen's copies	Optional.
	(e) Clearance cards or orders—operators' copies	6 months.
	(f) Clearance cards or orders—trainmen's copies	Optional.
	(g) Operators' block reports	6 months.
	(h) Daily reports of trains moved	2 years.
171	Employees' timetables:	
	(a) Official file of employees' timetables	Do.
	(b) Receipts for timetables	Duration of timetable.
172	Records of crews:	
	(a) Train register or roster	1 year.
	(b) Records of crews called, including call boy records	Do.
173	Records of hours of service:	
	(a) Records of hours of service of train and station employees. (See item 300j)	3 years.
	(b) Train-delay reports. (See item 300j)	Do.
174	Locomotive mileage:	
	(a) Records of movement of locomotives	1 year.
	(b) Reports of locomotive mileage, from division offices	Do.
175	Conductors' train and car reports:	
	(a) Reports showing the dates and numbers of trains the initials and numbers of cars, the movement of cars, and the mileage of cars and trains (i. e., wheel reports), if not transcribed into other records.	2 years.
	(b) Reports showing dates and numbers of trains, the initials and numbers of cars, the movement of cars, and the mileage of cars and trains (i. e., wheel reports), if transcribed into other records for retention.	Do.
	(c) Reports of cars interchanged with connecting lines	Do.
	(d) Reports of cars on hand at nonagency stations	1 year.
	(e) Train books showing crews, car-seal records, cars moved, etc	2 years.
176	Train accidents:	
	(a) Record of train accidents	Do.
	(b) Reports of train accidents by conductors, enginemen, or others	Do.
	(c) Reports of damage to equipment by accidents	Do.
177	Conductors' passenger, freight, and dining car reports:	
	(a) Reports of cash collections, if transcribed to records covered by item 35	1 year.
	(b) Reports of cash collections, if not transcribed to records covered by item 35	2 years.
	(c) Stubs of cash fare receipts or conductors' portions of duplex tickets	Optional.
	(d) Reports of passengers carried, or of tickets, mileage coupons, etc., collected or honored.	2 years.
	(e) Reports of passes honored or collected	1 year.
	(f) Pass identification slips	Optional.
	(g) Sleeping car identification checks and envelopes	Do.
	(h) Reports of passengers handled in sleeping and parlor cars	1 year.
	(i) Envelopes for enclosing tickets, passes, etc., collected	Optional.
	(j) Slips or memoranda for freight received at nonagency stations	2 years.
	(k) Conductors' monthly balance sheets and supporting papers	Do.
	(l) Conductors' daily or weekly balance sheets, when figures are combined on monthly balance sheet.	1 year.
178	Passes and free tickets:	
	(a) Copies of orders on printing houses for pass stock	Do.
	(b) Records of pass stock received, distributed, and destroyed	Do.
	(c) Requests for passes; copies or stubs of requests for passes; and receipts for passes.	2 years.
	(d) Records of passes issued	Do.
	(e) Records of passes received from other carriers	Do.
	(f) Stubs of trip passes	Do.
	(g) Records of annual or term passes honored	Optional.
	(h) Unexpired, surrendered, or partially used annual or term passes	Do.
	(i) Void, unused, or unissued passes	Do.
	(j) Records of free passenger fare tickets issued	2 years.
	(k) Reports of trip passes issued	Do.
	(l) Bulletins of lost and outlawed passes, file copies of	Optional.
	(m) Bulletins of lost and outlawed passes, other than file copies of	Do.
179	Car movements:	
	(a) Records of movement of cars, home and foreign	2 years.
	(b) Junction card reports from other carriers of cars interchanged, when data are transcribed to records provided for in (a) above.	Optional.
	(c) Records and reports of cars switched	2 years.
	(d) Minor records pertaining to the handling and movement of equipment if the movements are recorded in records covered by (a) above.	Optional.

Item	Description of records	Period to be retained
	TRANSPORTATION—continued	
180	Car distribution:	
	(a) Records of car allotment and distribution	2 years.
	(b) Records of cars ordered, furnished, and loaded	Do.
	(c) Telegraphic and other reports of cars on hand and required	1 year.
	(d) Reports of unfilled car orders	Do.
181	Per diem and mileage reports:	
	(a) Per diem and mileage reports made and received, including reclaims	2 years.
	(b) Per diem and mileage discrepancy and adjustment reports	Do.
182	Records and reports pertaining to embargoes, congested traffic, and similar matters	1 year.
183	Reports of or certificates of train-rules examination	2 years.
184	Records of ticket punches	1 year after use of punch is discontinued.
185	Import and export:	
	Records and reports pertaining to import and export freight, bonded freight and baggage, steamships' engagements, etc.	2 years.
186	Marine equipment: Records and reports pertaining to the operation of marine and floating equipment:	
	(a) Blueprints and specifications covering construction of boats	Duration of vessel.
	(b) Major repair records	Do.
	(c) Boat damage records	5 years.
	(d) Personnel records	1 year after termination of service.
	(e) Tug masters', tug engineers', ferry pilots' logs	Permanent.
	(f) Tug dispatcher's tow order and float sheet	3 years.
	(g) Cooperative towing reports	2 years.
	(h) Floatmen's reports	3 years.
	(i) Barge, lighter and scow captain's daily reports	5 years.
	(j) Directional check sheets	3 years.
	(k) Demurrage records	2 years.
187	Railway mail service:	
	(a) Records and reports of mail service, mail failures, and detentions, fines, deductions, and irregularities.	Do.
	(b) Records and reports of mail pouches received and distributed	1 year.
188	Property protection service:	
	Reports and records in connection with policing the company's property, detective service, investigations of robberies, and attempts to defraud the company when not the subject of claim against the carrier.	Optional.
189	Loss and damage prevention:	
	Reports and records in connection with the prevention of loss and damage to freight shipments.	Do.
	CLAIMS	
210	Claim registers:	
	(a) Claim registers, card or book indexes, and other records in connection with the recording of overcharge, loss and damage, personal injury, fire, and other claims presented against carriers.	6 years.
	(b) Records showing the details of authorities issued to agents, carriers, and others for participation in freight claims.	3 years.
211	Claim papers:	
	(a) All papers substantiating personal injury claims, whether such papers are filed separately or attached to vouchers. (See Item 55c.)	6 years after settlement or rejection.
	(b) All papers substantiating overcharge, loss and damage, fire, and other claims, whether such papers are filed separately or attached to vouchers. (See item 55c.)	3 years after settlement or rejection.
	(c) Claim jackets, if all information thereon appears in records covered by (a) and (b) above.	Optional.
	(d) Claim bases constituting a duplicate record of claims if the substantiating papers are filed with another interested carrier.	2 years after settlement.
212	Records of personal injury:	
	Reports and statements regarding personal injuries, when not necessary to support claims or vouchers.	3 years.
213	Records of fire and other damages to property of others:	
	Reports and statements of trackmen and other employees regarding injuries by fire or otherwise to property of others, when not necessary to support claims or vouchers.	2 years.
214	Records of stock killed or injured:	
	Reports and statements by trainmen, trackmen, and other employees regarding stock killed or injured, when not necessary to support claims or vouchers.	Do.
215	Records of unclaimed, over, short, damaged, and refused freight:	
	Tracers, reports, and other records pertaining to unclaimed, over, short, damaged, and refused freight when not necessary to support claims or vouchers.	1 year.
216	Sales orders:	
	Authorities for the disposal of unclaimed, damaged, and refused freight.	3 years.

Item	Description of records	Period to be retained
	AGENCIES, YARDS AND ACCOUNTING BUREAUS	
230	Bills of lading and releases:	
	(a) Con ignors' shipping orders, consignors' shipping tickets, and copies of bills of lading.	2 years.
	(b) Shippers' order-notify bills of lading taken up and canceled	Do.
	(c) Contracts covering risks of carriers in transportation and storage	Do.
	(d) Shipping contracts for transportation of caretakers of freight	Do.
	(e) Releases for deliveries at nonagency stations	Do.
	(f) Bills of lading and shipping tickets lifted on inbound shipments	Do.
231	Freight loading records:	
	(a) Records of loading, unloading and inspection of cars	3 years.
	(b) Records and reports of carload and less-than-carload shipments transferred	2 years.
	(c) Records of cars iced, refrigerated, heated, or ventilated	Do.
	(d) Records of unloading, loading, feeding, and watering livestock	Do.
	(e) Duplicates of above records. (See item 336a.)	
232	Weighing of freight:	
	Records, reports, orders, and tickets pertaining to the weighing of carload and less-than-carload shipments. (For duplicates see item 336a.)	4 years.
233	Freight waybills:	
	(a) Local waybills	2 years.
	(b) Interline waybills received from other carriers	Do.
	(c) Copies of interline waybills made to other carriers	Do.
	(d) Company freight waybills	1 year.
	(e) Memoranda or slips on which are listed waybills sent to audit office, if such memoranda or slips are not used in auditing the accounts.	Optional.
	(f) Duplicates of above records. (See item 336a.)	
234	Card waybills:	
	(a) Card waybills, when used as revenue billing	2 years.
	(b) Card waybills, when shipments are covered by other revenue waybills	1 year.
	(c) Card waybills for nonrevenue shipments	Do.
	(d) Home route car waybills	Do.
235	Car cards, placards, and car certificates:	
	(a) Car cards, side cards, placards and copies of car certificates when used for routing purposes or to show contents or condition of cars and with rules for handling.	Optional.
	(b) Inspection certificates for cars containing explosives, forwarding agents' original	2 years.
236	Reports, records, and instructions regarding the makeup of trains	1 year.
237	Records of freight stopped in transit:	
	Records and reports showing the particulars in connection with shipments stopped, such as grain to be cleaned or milled, lumber to be dressed, posts or poles to be sorted, livestock to be fed, cotton to be compressed, etc.; and those showing particulars in regard to reshipment to final destination. (For duplicates see item 336a.)	3 years.
238	Freight bills and settlements:	
	(a) Copies of freight bills for freight and other charges	2 years.
	(b) Copies of agents' settlements with consignors and consignees	Do.
	(c) Agents' settlements between carriers	Do.
	(d) Lists of bills sent to audit office for collection and credit	Do.
	(e) Reports of uncollected freight charges	Do.
	(f) Duplicates of above records. (See item 336a.)	
239	Freight corrections:	
	(a) Records and reports of correction notices	Do.
	(b) Duplicates of above records. (See item 336a.)	
240	Freight records:	
	(a) Records of and receipts for delivery of freight to consignees and connecting carriers.	3 years.
	(b) Freight checkers' records	Do.
	(c) Orders from consignees for delivery of freight	Do.
	(d) Transfer records of freight received from and delivered to connecting carriers	Do.
	(e) Records for the diversion or reconsignment of freight	Do.
241	Notices of freight arrivals:	
	Copies of notices to consignees of the arrival of freight	2 years.
242	Records of shipments accorded pick-up, delivery, drayage, c. o. d. or substitute highway service:	
	(a) Reports and manifests of shipments accorded pick-up, delivery or drayage service.	Do.
	(b) Records and reports of c. o. d. shipments billed and received	Do.
	(c) Reports and manifests of shipments handled in substitute highway service	Do.
243	Freight reports:	
	(a) Reports and abstracts of commercial waybills made and received	Do.
	(b) Reports and abstracts of company freight waybills made and received	Do.
	(c) Passing reports at junction points of through waybills forwarded to and received from connecting carriers.	1 year.

Item	Description of records	Period to be retained
	AGENCIES, YARDS AND ACCOUNTING BUREAUS—continued	
243	Freight reports—Continued	
	(d) Passing reports of waybills covering freight moving over divisions, bridges, etc.	1 year.
	(e) Reports of shipments received or forwarded, not covered by waybills, such as coal, ore, etc.	2 years.
	(f) Duplicates of above records. (See item 336a.)	
244	Switching records:	
	(a) Reports and records pertaining to revenue switching	Do.
	(b) Switching orders, switching tickets, and switching waybills	Do.
	(c) Duplicates of above records. (See item 336a.)	
245	Demurrage and storage records:	
	(a) Records of cars arrived, placed, and released and of accruals of demurrage	Do.
	(b) Reports to auditing department and to demurrage and storage bureaus of accruals and collections of demurrage and storage charges.	Do.
	(c) Reports of uncollected demurrage and storage charges	Do.
	(d) Duplicates of above records. (See item 336a.)	
246	Miscellaneous collections by agents:	
	Records and reports of overcollection of freight and other charges (with record of refund or disposition); sale of unclaimed freight; sale of water; icing, weighing, reconsignment, loading, and unloading charges; garnishee fees, etc. (For duplicates see Item 336a.)	Do.
247	Car records and interchange reports:	
	(a) Records and reports of cars received, forwarded, and on hand and wanted, including interchange with connecting lines.	Do.
	(b) Telegraphic report of cars interchanged at junctions, when data are transcribed into other records.	1 year.
	(c) Telegraphic report of movement of freight, when data are transcribed into other records.	Do.
	(d) Record of car seals applied, released, and on hand	Do.
	(e) Yard car books showing cars on various yard tracks and industrial tracks	Do.
	(f) Daily reports of loaded cars passing yards	Optional.
	(g) Duplicates of above records. (See item 336a.)	
248	Ticket records:	
	(a) Records of tickets received, sold, and on hand	2 years.
	(b) Inventories of tickets at agencies	Do.
	(c) Records of adjustments and corrections on ticket reports	Do.
	(d) Stubs of tickets, etc	6 months after audit.
	(e) Envelopes and receipts for stop-over tickets deposited with agents at stop-over points.	Optional.
	(f) Duplicates of above records. (See item 336a.)	
249	Ticket reports:	
	(a) Reports of sale of tickets, sale of mileage books, collection for baggage, etc. (For duplicates, see item 336a.)	2 years.
	(b) Report of credit claimed for tickets redeemed or issued in exchange	Do.
250	Sleeping, parlor, and chair car records:	
	Sleeping, parlor, and chair car diagrams and correspondence in connection with reservations.	Optional.
251	Baggage records:	
	(a) Baggage records	2 years.
	(b) Baggage waybills and manifests	Do.
	(c) Waybills for milk and cream and for return of empty containers	1 year.
	(d) Records of excess and c. o. d. baggage checks issued	2 years.
	(e) Releases for baggage in bad order	Do.
	(f) Receipts from agents, baggagemasters, and others for valuable letters and packages.	Optional.
	(g) Receipts for lost and mismatched baggage checks	Do.
	(h) Transfer company checks and manifests	Do.
	(i) Duplicates of above records. (See item 336a.)	
252	Agency cash books	6 years.
253	Remittances:	
	(a) Agents' and conductors' remittance slips, bank deposit slips, and supporting papers, not provided for elsewhere.	2 years.
	(b) Agents' records of remittances	Do.
	(c) Statements of cash and other cash papers deposited with agents by conductors.	Do.
	(d) Duplicates of above records. (See item 336a.)	
254	Relief claims:	
	(a) Register of agents' relief claims	Do.
	(b) Agents' relief claims and supporting papers	Do.
255	Station records summarizing the debits and credits on account of revenues, remittances, claims, etc.	Do.
256	Agents' balance sheets:	
	(a) Monthly balance sheets and supporting papers	3 years.
	(b) Daily and weekly balance sheets, when figures are combined on monthly balance sheets.	1 year.
	(c) Daily and weekly balance sheets and supporting papers, when figures are not combined and carried to monthly balance sheets.	3 years.
	(d) Duplicates of above records. (See item 336a.)	
257	Other agency and yard records:	
	All records at agencies and yards not otherwise provided for in these regulations	1 year.

Item	Description of records	Period to be retained
	JOINT ASSOCIATIONS, BUREAUS, AND SIMILAR AGENCIES	
	NOTE: Ledgers, journals, vouchers, bills, and other records of joint associations, etc., shall be retained for the same periods as are provided for such documents elsewhere in these regulations.	
270	Rules, regulations, and instructions to carriers, agents, and others	3 years after expiration or cancellation.
271	Statements of expenses of agencies and apportionment between carriers and others	3 years.
272	Statements of receipts of agencies and apportionment between carriers and others	Do.
273	Statements of freight handled, by carriers, commodities, gateways, or otherwise	Do.
274	Statements of passenger business, by carriers, classes, gateways, or otherwise	Do.
275	Reports from carriers or agents of carriers showing freight handled, passengers carried, and other information, if summarized in records covered by items 271 to 274.	Optional.
276	Working papers and records tabulating data for records covered by items 273 and 274	Do.
277	Waybills:	
	(a) Copies of waybills received from carriers or agents of carriers, if such copies contain no information other than that appearing on the original waybills.	Do.
	(b) Abstracts or lists accompanying copies of waybills covered by (a) above, when used only for checking the copies received.	Do.
278	Weighing and inspection of freight:	
	(a) Weight agreements, such as those providing for acceptance of shippers' weights, subject to inspection of books, etc.	4 years.
	(b) Records and reports covering the settlement with shippers and carriers for undercharges in weight.	Do.
	(c) Records and reports of shipments moving under weight agreements	Do.
	(d) Weighmasters' oaths, weight tickets, weight certificates, and reports of weighmasters.	Do.
	(e) Reports to carriers of shipments weighed or inspected, of corrections made on waybills, and similar matters.	Do.
	(f) Duplicates of above records. (See item 336a.)	
279	Demurrage and storage:	
	(a) Records summarizing the accruals of demurrage and storage charges	2 years.
	(b) Reports and statements to carriers of demurrage and storage, and file copies thereof.	Do.
	(c) Reports from agents of carriers of accruals of demurrage and storage charges, of cars received, placed, and released, of constructive placement, etc.	Do.
	(d) Records and supporting papers covering the cancellation or refund of demurrage and storage charges.	Do.
	(e) Duplicates of above records. (See item 336a.)	
280	Validating of tickets:	
	Records and reports pertaining to the validating of passenger fare tickets. (For duplicates see item 336a.)	Do.
281	Mileage-book settlements:	
	(a) Records and reports pertaining to settlements with carriers and passengers regarding mileage books, scrip books, reduced-rate credentials, and similar tickets.	Do.
	(b) Record of tickets redeemed, including claimants' receipts for cash refunds	Do.
	(c) Duplicates of above records. (See item 336a.)	
282	Statements, schedules, and bills rendered steamship or other carriers covering the amount due for tickets issued in exchange for orders, file copies of.	4 years.
283	Clergy permits:	
	Applications for clergy permits, and records and reports pertaining to the issuance and use of clergy permits.	2 years.
	REPORTS TO REGULATORY AGENCIES	
	NOTE: The supporting papers referred to in item 300 are those requisite to support the reports named, and not elsewhere provided for in these regulations. If figures for such reports are assembled on memorandum sheets, such sheets constitute a part of the supporting papers and shall be retained accordingly.	
300	Financial and statistical reports:	
	(a) Annual report forms. Financial, operating, and statistical summaries, file copies of, and supporting papers.	Permanent.
	(b) Monthly reports of revenues and expenses, file copies of, and supporting papers	1 year.
	(c) Monthly reports of selected income and balance sheet items, file copies of, and supporting papers.	Do.
	(d) Monthly reports of operating statistics, file copies of, and supporting papers	Do.
	(e) Monthly reports of analysis of passenger traffic, file copies of, and supporting papers.	Do.
	(f) Monthly reports of employees, service and compensation, file copies of, and supporting papers.	Do.
	(g) Quarterly report of freight commodity statistics, file copies of, and supporting papers.	2 years.
	(h) Quarterly report on expenditures for additions and betterments, file copies of, and supporting papers.	1 year.
	(i) Monthly accident reports, file copies of, and supporting papers	3 years.
	(j) Monthly reports of hours of service, file copies of, and supporting papers	2 years.

Item	Description of records	Period to be retained
	REPORTS TO REGULATORY AGENCIES—continued	
300	Financial and statistica reports—Continued	
	(k) Monthly locomotive boiler inspection and repair reports, file copies of, and supporting papers.	2 years.
	(l) Annual locomotive boiler inspection and repair reports, file copies of, and supporting papers.	5 years.
	(m) Special orders from Interstate Commerce Commission for repairs to locomotive boilers, and file copies of special repair reports covering such repairs.	2 years.
	(n) Quarterly boiler inspection and repair reports, other than steam locomotive, file copies of, and supporting papers.	5 years.
	(o) Specification cards for locomotive boilers, file copies of, and supporting blueprints and alteration reports.	1 year after boiler is retired.
	(p) Freight car location reports, file copies of, and supporting papers	1 year.
	(q) Reports to regulating bodies regarding expenditures of proceeds from sale of authorized securities, file copies of, and supporting papers.	5 years.
	ADMINISTRATIVE, FINANCIAL, AND STATISTICAL REPORTS	
310	Monthly or other periodical statements of general balance sheet, income, and retained income accounts, comparative or otherwise.	2 years.
311	Monthly or other periodical statements of revenues and expenses, comparative or otherwise, and analyses of increases and decreases.	Do.
312	Monthly or periodical statements of estimated or approximate revenues and expenses, when not used as bases for crediting or charging the accounts.	Optional.
313	Agents' daily or weekly reports of tonnage, revenue, or receipts, used only for preparing statements of estimated revenues or the movement of traffic.	Do.
314	Monthly or other periodical statements of tonnage handled, by tons, ton-miles, commodities, divisions, or otherwise.	2 years.
315	Monthly or other periodical statements of car-miles, train-miles, and movements of freight and passenger cars.	Do.
316	Monthly or other periodical statements of performances of locomotives	Do.
317	Monthly or other periodical statements of employees by duties, days, compensation, or otherwise.	Do.
318	Monthly or other periodical statements of passenger traffic, by number of passengers, passenger-miles, divisions, or otherwise.	Do.
319	Working papers or records on which are assembled figures for records covered by items 310, 311, 314-318.	Do.
320	Miscellaneous statistical reports, statements, and summaries used for administrative purposes only. (Not otherwise provided for herein.)	Optional.
	MISCELLANEOUS	
330	Records of employees:	
	(a) Applications for employment, reports and certificates of examinations, service records, efficiency tests, employees' rosters, and other similar records pertaining to employees.	1 year after termination of service.
	(b) Applications for employment and replies thereto not resulting in employment of applicant.	Optional.
331	Instructions to agents and others:	
	(a) Books and circulars of instructions to agents and others, in the general file of the department in which the complete official file is maintained.	3 years after expiration or cancellation.
	(b) Surplus copies of books and circulars of instructions and copies in other departments and at agencies, if copies of the same issues are preserved in the general file referred to in (a) above.	Optional.
332	Land, industrial, and immigration department records:	
	(a) Reports, records, and correspondence containing inquiries from and replies to prospective homeseekers and industries regarding localities and conditions.	2 years.
	(b) Agents' periodical itinerary reports	1 year.
	(c) Agents' periodical field or work reports	Do.
	(d) Periodical reports from agents, industries, and others, furnishing data for annual reports for industrial, commercial, and agricultural directories, and similar publications.	Do.
333	Provident department records:	
	Records of provident departments, such as employees' relief, hospital, insurance and savings departments, other than records pertaining to the receipt and disbursement of funds.	1 year after termination.
	NOTE: The records pertaining to the receipt and disbursement of funds must be retained for the same periods as are provided for similar records elsewhere in this order.	
334	Correspondence:	
	(a) Correspondence and records thereof relating to subjects listed in items 1 to 333 inclusive.	For the period prescribed for the records to which the correspondence relates.
	(b) Operators' copies of telegrams, including relay copies, if the original or other copies of such messages are retained, as provided for in (a) above.	Optional.
	(c) Stenographers' notebooks and phonograph and other mechanical device records, if transcripts thereof are retained, as provided for in (a) above.	Do.
	(d) Extra copies of letters, etc., used for tracing or following up correspondence, or for other purposes, if original or other copies are retained as provided for in (a) above.	Do.
335	Data processing:	
	Tabulating cards, tapes, and other media used in the compilation of accounts and statistics and other data, when the results are transcribed to other records covered by these regulations.	Do.
336	(a) Duplicate copies of records and documents covered by items 231-233; 237-239; 243-249; 251, 253, 256, when held by agents.	See § 110.7.
	(b) Duplicates of other accounts, records, and memoranda listed in these regulations when they are not provided for otherwise and when they contain no information other than that shown on the originals.	Optional.
337	The official record of records and documents destroyed (see § 110.5)	Permanent.

[F. R. Doc. 57-7221; Filed, Sept. 5, 1957; 8:45 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

[25 CFR Part 130]

COLORADO RIVER INDIAN IRRIGATION PROJECT, ARIZONA

OPERATION AND MAINTENANCE CHARGES

Notice is hereby given of intention to modify the regulations in Part 130 dealing with operation and maintenance assessments against the irrigable lands of the Colorado River Indian Irrigation Project, Arizona, as set forth below. This modification would increase the basic allowance of irrigation water from 5 acre-feet per acre to from 6 to 8 acre-feet per acre on certain sandy areas; revoke the charges for stock water; advance the due date for payment of basic charges from March 1 to February 1; eliminate the partial cash payment rate of $3 per acre, in the old portion of the project; remove the 10 acre limitation contained in present § 130.8a *Advance payment may be waived,* and combine the modified provisions thereof with § 130.8; and renumber § 130.8b *Water users responsible for water after delivery* by assigning § 130.8a thereto.

Interested persons are hereby given opportunity to participate in the proposed revisions by submitting their views, data, or arguments in writing to the Area Director, Bureau of Indian Affairs, P. O. Box 7007, Phoenix, Arizona, within 30 days from the date of publication of this notice in the FEDERAL REGISTER.

ROGER ERNST,
Assistant Secretary of the Interior.

AUGUST 30, 1957.

1. Section 130.6 is amended to read as follows:

§ 130.6 *Charges.* Pursuant to the provisions of the acts of Congress approved August 1, 1914, and March 7, 1928 (38 Stat. 583, 45 Stat. 210; 25 U. S. C. 385-387), the annual basic charge against the land to which water can be delivered under the Colorado River Indian Irrigation Project in Arizona, for the operation and maintenance of that project, is hereby fixed at $6 per irrigable acre, whether water is used or not. Payment of this charge will entitle the water user to from six to eight acre-feet of water per acre on certain sandy areas as described in a schedule on file at the Colorado River Indian Agency and available for inspection by interested parties, and to five acre-feet of water per irrigable acre on all other lands. With the ap-

proval of the Superintendent excess water may be allowed on certain alkali tracts at no additional charge for the purpose of reclaiming lands by the usual methods, such as flooding, leaching, etc. The foregoing charges and allotments of water shall become effective for the calendar year of 1958 and continue in effect thereafter until further notice.

2. Section 130.7 is amended to read as follows:

§ 130.7 *Excess water charges.* Additional water, if and when available, in excess of basic allowances, may be delivered upon written request to the Superintendent by landowners or users at the rate of $1.50 per acre-foot, or fraction thereof.

3. Section 130.7a *Charges for stock water* is revoked.

4. Section 130.8 is amended to read as follows:

§ 130.8 *Time of payments.* The basic water charge fixed in § 130.6 shall become due on February 1 of each year and shall be payable on or before that date each year, and in advance of delivery of water, except when:

(a) The Superintendent is convinced that an Indian landowner, whose land is not under lease to a non-Indian, is financially unable to pay his operation and maintenance charges from proceeds of labor performed on the project works, or from the proceeds of the crops being grown on the land, or from any other source, the delivery of water may be continued if a written certificate is issued by the Superintendent stating that such Indian is not financially able to pay such charges. In such cases the unpaid charges shall be entered on the accounts and will stand as a first lien against the land until paid but without penalty for delinquency.

(b) The Superintendent allows postponement of payment of the water charges by Indians in hardship cases. Such postponements, however, are not to exceed sixty days from February 1.

(c) Assignments or leases of Indian lands that become effective during the last half of the calendar year, and basic charges have not been paid in full, and irrigation water is desired during that half of the calendar year, the assignee or lessee will be required to pay prior to delivery of water, one-half the annual basic charge, for delivery of not to exceed one-half of the annual basic allotment of water, and if the lease term ends on June 30, the lessee shall be charged one-half of annual basic assessment for that calendar year, plus excess water charges for water used in excess of one-half of the annual basic allotment.

(1) The excess water charge is payable at the time of written request for such water and must be paid prior to delivery of the excess water, except as provided under paragraph (a) of this section.

(2) No water shall be delivered for use on Indian trust lands under lease until the Superintendent of the Indian Reservation has certified that the lessee has paid the required operation and maintenance charges and complied with all the terms of the lease contract.

5. Section 130.8a *Advance payment may be waived* is revoked.

6. Section 130.8b *Water users responsible for water after delivery* is renumbered § 130.8a.

[F. R. Doc. 57-7290; Filed, Sept. 5, 1957; 8:46 a. m.]

Bureau of Land Management

[43 CFR Part 76]

LAND GRANT FOR MENTAL HEALTH PROGRAM, ALASKA

NOTICE OF PROPOSED RULE MAKING

Notice is hereby given that pursuant to the authority vested in the Secretary of the Interior by section 202 of the act of July 28, 1956 (70 Stat. 709, 711, 712), and Revised Statutes 2478 (43 U. S. C. 1201), it is proposed to issue regulations governing selection of public lands by the Territory of Alaska in satisfaction of the land grant made by said act in furtherance of the Alaska Mental Health Program.

The proposed regulations are set forth below.

Interested persons may submit in triplicate written comments, suggestions, or objections in respect to the proposed regulations to the Bureau of Land Management, Washington 25, D. C., within 30 days from the date of publication of this notice in the FEDERAL REGISTER.

ROGER ERNST,
Assistant Secretary of the Interior.

AUGUST 30, 1957.

SUBCHAPTER A—ALASKA

The title to Part 76 is revised to read "School Land Reservation, Grants for Educational and Institutional Purposes" and new §§ 76.7 to 76.13 are added to read as follows:

GRANT TO ALASKA FOR MENTAL HEALTH PROGRAM

Sec.
76.7 Statutory authority.
76.8 Waiver of Territorial preference right of selection.
76.9 Lands subject to selection; patents; minerals.
76.10 Selections.
76.11 Segregative effect of selections; effect of approvals.
76.12 Publication and protests.
76.13 Appeals.

AUTHORITY: §§ 76.7 to 76.13 issued under 70 Stat. 709, 711, 712, and R. S. 2478 (43 U. S. C. 1201).

GRANT TO ALASKA FOR MENTAL HEALTH PROGRAM

§ 76.7 *Statutory authority.* (a) The act of July 28, 1956 (70 Stat. 709, 711, 712), referred to in §§ 76.7 to 76.13 as "the act", grants to the Territory of Alaska the right to select, within 10 years from July 28, 1956, not to exceed one million acres from the public lands in Alaska which are vacant, unappropriated and unreserved at the time of selection.

(b) The act further provides, that, upon the revocation of any order of withdrawal in Alaska, the order of revocation shall provide for a period of not less than 90 days before the date on which it otherwise becomes effective during which period the Territory of Alaska shall have a preferred right of selection under the act, subject to prior existing valid rights, to equitable claims subject to allowance and confirmation, and to other preferred rights of application conferred by law other than the preferred right of application created by section 4 of the act of September 27, 1944 (58 Stat. 749; 43 U. S. C. 282), as amended.

§ 76.8 *Waiver of Territorial preference right of selection.* Where the proper selecting agent of the Territory files in writing in the appropriate land office a waiver of the preference provisions of paragraph (b) of § 76.7 in connection with the proposed revocation of an order of withdrawal, the order effecting such revocation will not provide for such preference.

§ 76.9 *Lands subject to selection; patents; minerals.* (a) Under the act, the Territory may select any vacant, unappropriated, and unreserved public lands in Alaska, whether or not they are surveyed and whether or not they contain mineral deposits. Where the preference provisions of paragraph (b) of § 76.7 do not apply, selections by the Territory of lands covered by an application filed prior to the Territorial selection will be rejected when and if such application is allowed.

(b) Patents will be issued for all selections approved under the act by the authorized officer of the Bureau of Land Management but such patents will not issue unless or until the lands are officially surveyed.

(c) Patents issued under the act will convey to the Territory all mineral deposits in the selected lands except that mineral deposits in lands which were on January 1, 1956, subject to Public Land Order No. 82 of January 22, 1943, will be reserved to the United States. Any minerals subject to the leasing laws and reserved to the United States in lands patented under the act may be disposed of to any qualified person under applicable laws and regulations. Until rules and regulations are issued, other minerals are not subject to disposition, or, except by an authorized Federal agency, to prospecting.

§ 76.10 *Selections.* (a) Selections of lands under the act will be made by the proper selecting agent of the Territory and will be filed, in triplicate, in the land office of the district in which such selected lands are situated. No special form is required but it must be typewritten and must contain the following information:

(1) A reference to the act of July 28, 1956 (70 Stat. 709).

(2) A certificate by the selecting agent showing

(i) That the selection is made under and pursuant to the laws of the Territory.

(ii) That the selection, together with other selections under the act pending or approved, does not exceed one million acres.

(iii) His official title and his authority to make the selection on behalf of the Territory.

(iv) That no portion of the selected land is occupied for any purpose by the United States and that the land is unoccupied, unimproved, and unappropriated by any person claiming the land other than the applicant.

(v) That the selected land does not extend more than 160 rods along the shore of any navigable water or that such restriction has been waived or should be waived (see § 77.4 (b) of this chapter).

(vi) All the facts relative to medicinal or hot springs or other waters upon the selected lands.

(vii) The date on which the lands were posted in accordance with § 76.11.

(3) If the selected lands are surveyed, the legal description of the lands in accordance with the official plats of survey.

(4) If the selected lands are unsurveyed, a description of the lands and a map or maps, in triplicate, sufficient to permit ready identification of the location, boundaries, and area of the lands.

(b) Selections must be accompanied by a filing fee of $10 for each 1,000 acres or fraction thereof in the selection which fee is not returnable.

(c) All selections shall be made in reasonably compact tracts, taking into account the situation and potential uses of the lands involved. A tract will not be considered compact if it adjoins other public lands available for selection which the authorized officer of the Bureau of Land Management considers a part of such tract, taking into account the situation and potential uses of all the lands involved. Not more than 6,400 acres will be included in any one selection except where the lands selected consist of one compact tract in excess of 6,400 acres.

§ 76.11 *Segregative effect of applications; effect of approvals.* (a) Lands desired by the Territory under the act will be segregated from all appropriations based upon settlement and location, including locations under the mining laws, when the Territory adequately posts the lands with notices showing the date of said posting and that it has selected the lands or intends to select them within 60 days of the date of posting such notices. Such segregation will automatically terminate if the Territory fails to make selection of the lands within 60 days of posting notice of intention to select. Otherwise it will continue until final action is taken on the selection. The Territory will be expected to remove such notices from public lands promptly upon termination of the segregation period. Lands desired by the Territory under the act will be segregated from all appropriations based upon applications upon filing of its selection in the appropriate land office.

(b) Following the selection of lands by the Territory pursuant to the requirements of §§ 76.10 and 76.12, the Territory shall be authorized to lease and make conditional sales of such selected lands pending survey of the lands, if necessary, and issuance of patent.

§ 76.12 *Publication and protests.* (a) The Territory will be required to publish once a week for five consecutive weeks in accordance with § 106.14 of this chapter, at its own expense, in a designated newspaper and in a designated form, a notice allowing all persons claiming the land adversely to file in the appropriate office their objections to the issuance of patent for lands selected under the act. A protestant must serve on the Territory a copy of the objections and furnish evidence of service to the appropriate land office.

(b) The Territory must file a statement of the publisher, accompanied by a copy of the notice published, showing that publication has been had for the required time.

§ 76.13 *Appeals.* An appeal pursuant to the Rules of Practice, Part 221 of this chapter, may be taken from the decision of the authorized officer of the Bureau of Land Management.

[F. R. Doc. 57-7295; Filed, Sept. 5, 1957; 8:47 a. m.]

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 959]

IRISH POTATOES GROWN IN MODOC AND SISKIYOU COUNTIES IN CALIFORNIA AND IN ALL COUNTIES IN OREGON EXCEPT MALHEUR COUNTY

NOTICE OF PROPOSED RULE MAKING

Notice is hereby given that the Secretary of Agriculture is considering the approval of a proposed revision of rules and regulations (Subpart—Rules and Regulations, 7 CFR 959.100-959.132) as hereinafter set forth, which were recommended by the Oregon-California Potato Committee, established pursuant to Marketing Agreement No. 114, as amended, and Order No. 59, as amended (7 CFR Part 959; 20 F. R. 7068), regulating the handling of Irish potatoes grown in Modoc and Siskiyou Counties in California and in all counties in Oregon except Malheur County, issued under the Agricultural Marketing Agreement Act of 1937, as amended (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.).

Considerations will be given to any data, views, or arguments pertaining thereto, which are filed with the Director, Fruit and Vegetable Division, Agricultural Marketing Service, Washington 25, D. C., not later than 15 days following publication of this notice in the FEDERAL REGISTER. The proposed revision of the rules and regulations is as follows:

SUBPART—RULES AND REGULATIONS

GENERAL

§ 959.100 *Communications.* Unless otherwise provided in the marketing agreement and order (§§ 959.1 to 959.88), or by specific direction of the committee, all reports, applications, submittals, requests, and communications in connection therewith shall be addressed to the committee at its principal office.

DEFINITIONS

§ 959.110 *Order.* "Order" means Order No. 59, as amended (§§ 959.1 to 959.88), regulating the handling of Irish potatoes grown in Modoc and Siskiyou Counties in California and in all Counties in Oregon, except Malheur County.

§ 959.111 *Marketing agreement.* "Marketing agreement" means Marketing Agreement No. 114, as amended.

§ 959.112 *Terms.* Terms used in this subpart shall have the same meaning as when used in said marketing agreement and order.

§ 959.113 *Area determinations.* "Immediate production area," and "immediate shipping area," respectively, are each synonymous with "district."

EXEMPTIONS

§ 959.120 *Application.* (a) Any producer or handler applying for an exemption pursuant to §§ 959.65 through 959.68 from regulations issued pursuant to § 959.52, shall file such application with the committee, or its duly designated agent for such purpose, on forms to be furnished by the committee. Each application shall state (1) the name and address of the applicant, (2) the grade, size, and quality regulations for which exemption is requested, (3) facts demonstrating that the potatoes, for which exemption is requested, were adversely affected by acts beyond the applicant's reasonable expectation and control, and (4) any further information, in addition to the information required in paragraphs (b) and (c) of this section, as the committee may find necessary in making determinations with respect to such an application.

(b) Producer applications shall set forth the information required by subparagraphs (1), (2), (3), and (4) of this paragraph:

(1) The immediate production area, the location of the applicant's farms or ranches, and the fields and storage facilities where the applicant's potato crop may be inspected;

(2) The applicant's acreage and production of potatoes for the current season, varieties produced, and the quantity of each variety stated in terms of hundredweights, grades, and sizes;

(3) An estimate of the percentage of such applicant's potato crop which cannot be shipped because of regulations issued and in effect pursuant to §§ 959.52, 959.54, 959.65 through 959.68 inclusive, or any combination thereof, stated in terms of varieties, grades, and sizes; and

(4) A statement of the respective aggregate amounts of the applicant's potato crop (i) which have been sold during the current marketing season, and (ii) are remaining to be sold, each stated in terms of varieties, hundredweights, grades, and sizes.

(c) Handler applications shall set forth the information required by subparagraphs (1), (2), (3), and (4) of this paragraph:

(1) The quantity of potatoes acquired by the applicant during and immediately following the current digging season and stored, stated in terms of varieties, hundredweights, grades and sizes;

(2) The immediate shipping area and the location of the cellars, warehouses, and other storage facilities where such potatoes are stored;

(3) An estimate of the percentage of applicant's holdings of ungraded potatoes which cannot be shipped because of regulations issued and in effect pursuant to §§ 959.52, 959.54, 959.65 through 959.68, inclusive, or any combination thereof, stated in terms of varieties, grades and sizes; and

(4) A statement of the respective aggregate amounts of potatoes referred to in subparagraph (1) of this paragraph which (i) have been sold by the applicant during the current marketing season and (ii) are remaining to be sold, each in terms of varieties, hundredweights, grades, and sizes.

§ 959.121 *Investigation of applications.* (a) Each exemption application filed with the committee shall be accompanied by the applicant's certified statement setting forth the total quantity of such applicant's potatoes which have been graded; the quantity of such potatoes which meet the requirements in effect pursuant to § 959.52 on the date of the application; the quantity of such potatoes (exclusive of culls) which fail to meet such requirements on such date; and the quantity of such potatoes which are culls. Such certified statement shall be based upon the actual packout or grading of such potatoes. The committee, or any specifically authorized representative thereof, including a Federal-State inspector, may make such further investigations deemed necessary by the committee to verify the foregoing statements, and the cost of any such Federal-State inspection shall be borne by the applicant for exemption. If more than one exemption certificate is issued to an applicant during a marketing season, the total quantity of potatoes authorized to be shipped by such certificates shall not exceed the proportion specified in § 959.122.

(b) The committee shall keep account of the exemptions issued to applicants in those cases where the exemption certificate covers only a portion of the applicant's production or storage holdings. The quantity of potatoes exempted, if computed on a part of an applicant's production or storage holdings, shall be taken into consideration prior to issuing any future exemptions on the remainder of such applicant's production or storage holdings and shall be computed as part of the exemptions granted to such applicant during the then current season.

(c) In any case where the committee determines that the total quantity of graded potatoes referred to in paragraph (a) of this section is not representative of the applicant's entire production or ungraded storage holdings, the committee may require the exemption application to be accompanied by a report of a Federal-State inspector, which report shall contain the following:

(1) A statement by the inspector that he personally visited the farm, ranch, cellar, warehouse, and storage facility described in the application, and that a representative sample of the potatoes remaining therein or contained thereon was taken by him;

(2) A statement of the percentage of the potatoes so sampled by him which meet the grade, size, and quality requirements of regulations then in effect;

(3) A statement of the defects or damage causing such potatoes, or stated percentage thereof, to fail to meet such grade, size, and quality requirements. In the event that different regulations are in effect for different varieties of potatoes, the inspector's report shall show such percentages for each variety separately. The cost of the above inspection shall be borne by the applicant for exemption. The committee, or any specifically authorized representative thereof, may make such investigation as is deemed necessary to determine whether the exemption requested should be granted.

§ 959.122 *Issuance of certificate.* (a) Whenever the committee finds and determines, from proof satisfactory to the committee, that the applicant is entitled to an exemption certificate, the committee shall issue, or authorize the issuance of, an exemption certificate which shall authorize the applicant to ship, or cause to be shipped, such quantity of potatoes, which may fail to meet the minimum grade, size, and quality requirements in effect at the time thereof, as is authorized by §§ 959.65 through 959.68, inclusive.

(b) The manager of the committee, or any employee authorized by him, may issue exemption certificates for and on behalf of the committee: *Provided,* That the committee shall have first determined the "average proportions" or percentages referred to in § 959.66.

(c) If it is determined by the committee that an applicant is not entitled to an exemption certificate, the applicant shall be so advised in writing and given the reasons therefor.

(d) Each certificate of exemption issued as provided in this section shall contain the applicable producer's or handler's name and address, the location of his farm, ranch, cellar, warehouse, and storage facility, as the case may be, the quantities of potatoes which may be shipped by virtue of such exemption; and such other information as may be necessary to evidence the rights of the applicant to ship, or cause to be shipped, potatoes which do not meet the requirements of the then current grade, size, and quality regulations. Each certificate of exemption shall be transferable, in whole or in part, with the potatoes in accordance with the amount of potatoes transferred.

§ 959.123 *Reports and records.* For the purpose of enabling the committee to perform its functions pursuant to the provisions of this part, each handler shall report shipments under exemption certificates to the committee in such form and at such times and substantiated in such manner as shall be prescribed by the committee. All forms, reports, correspondence, and documents used, pursuant to this subpart, shall be kept on file by the committee and records thereof shall be maintained by the manager of the committee. A record of all exemption certificates issued (if any) shall be furnished weekly by the manager to the Secretary of Agriculture.

SAFEGUARDS

§ 959.130 *Application for Certificates of Privilege.* (a) All handlers desiring to make shipments of potatoes for the following purposes shall, when such shipments are regulated pursuant to §§ 959.40 to 959.60, inclusive, or any combination thereof, obtain from the committee prior to initiating such shipments, a Certificate, or Certificates, of Privilege permitting such shipments:

(1) Grading or storing in the production area;

(2) Export;

(3) Distribution by relief agencies or consumption by charitable institutions;

(4) Manufacture or conversion into specified products or byproducts;

(5) Livestock feed.

(b) Handlers desiring to make shipments of seed potatoes may be required to first apply to the committee for and obtain a Certificate, or Certificates, of Privilege permitting such shipments.

(c) Applications for Certificates of Privilege shall be made on forms furnished by the committee. Each application shall contain the name and address of the handler, the quantity of potatoes to be shipped, name of the consignee, designation, certification as to correctness of statements made, a statement that the applicant will comply with disposition stated therein, and such other information, or be accompanied by such other documents, as the committee may require in safeguarding against the entry of such potatoes into trade channels other than those for which the Certificate, or Certificates, of Privilege were granted.

§ 959.131 *Issuance.* The committee, or its duly authorized agents, shall give prompt consideration to each application for a Certificate of Privilege. Approval of an application shall be evidenced by the issuance of a Certificate of Privilege authorizing the applicant named therein to ship potatoes for a specified purpose for a specified period of time.

§ 959.132 *Reports.* Each handler shipping potatoes under, and pursuant to, a Certificate of Privilege shall supply to the committee, upon request, a report thereon, showing the name and address of the shipper, car or truck number, Federal-State Inspection Certificate number (if such inspection is required by regulations in effect at the time of such shipment), loading point, destination, and consignee.

§ 959.133 *Denial and appeals.* The committee may rescind a Certificate, or Certificates, of Privilege, issued to a handler pursuant to this part, or deny Certificates of Privilege to a handler, upon proof satisfactory to the committee that such handler has shipped potatoes contrary to provisions of this part. Such committee action denying or rescinding a Certificate, or Certificates, of Privilege shall apply to and not exceed a reasonable period of time as determined by the committee. Any handler who has been denied a Certificate of Privilege, or who has had a Certificate of Privilege rescinded, may appeal to the

committee for reconsideration. Such appeal shall be in writing.

Dated: August 30, 1957.

[SEAL] S. R. SMITH,
Director,
Fruit and Vegetable Division.

[F. R. Doc. 57-7283; Filed, Sept. 5, 1957; 8:45 a. m.]

Agricultural Research Service

[7 CFR Part 301]

SOYBEAN CYST NEMATODE

DOMESTIC QUARANTINE NOTICES

Notice is hereby given under section 4 of the Administrative Procedure Act (5 U. S. C. 1003) that the Administrator of the Agricultural Research Service, pursuant to sections 8 and 9 of the Plant Quarantine Act of 1912, as amended (7 U. S. C. 161, 162) and sections 103 and 106 of the Federal Plant Pest Act (Public Law 85-36), proposes to amend notice of quarantine No. 79 relating to the soybean cyst nematode (7 CFR 301.79, 22 F. R. 5911) by adding to the quarantined States specified therein the States of Arkansas, Kentucky, and Mississippi.

A public hearing on the aforesaid proposal was held before a representative of the Agricultural Research Service in Memphis, Tennessee, on July 24, 1957.

All persons who desire to submit written data, views, or arguments in connection with this matter should file the same with the Director of the Plant Pest Control Division, Agricultural Research Service, U. S. Department of Agriculture, Washington 25, D. C., within 30 days after the date of the publication of this notice in the FEDERAL REGISTER.

(Secs. 8, 9, 37 Stat. 318, as amended; 7 U. S. C. 161, 162; secs. 103, 106, Pub. Law 85-36)

Done at Washington, D. C., this 30th day of August 1957.

[SEAL] M. R. CLARKSON,
Acting Administrator,
Agricultural Research Service.

[F. R. Doc. 57-7322; Filed, Sept. 5, 1957; 8:51 a. m.]

[7 CFR Part 301]

SOYBEAN CYST NEMATODE

PROPOSED AMENDMENT OF ADMINISTRATIVE INSTRUCTIONS DESIGNATING REGULATED AREAS

Notice is hereby given under section 4 of the Administrative Procedure Act (5 U. S. C. 1003) that the Director of the Plant Pest Control Division, pursuant to § 301.79-2 of the regulations supplemental to the soybean cyst nematode notice of quarantine (7 CFR 301.79-2, 22 F. R. 5913), under the Federal Plant Pest Act (Pub. Law 85-36) and sections 8 and 9 of the Plant Quarantine Act of 1912, as amended (7 U. S. C. 161, 162), proposes to amend administrative instructions now appearing as § 301.79-2a (22 F. R. 5915) by adding to the counties, other civil divisions, farms, other premises, and parts thereof designated as regulated areas therein the following localities in Arkansas, Kentucky, and Mississippi.

ARKANSAS

Crittenden County. The irregular portion on the eastern boundary of the county between the Mississippi River levee and the indeterminate Arkansas-Tennessee State line, bounded on the north by the Crittenden-Mississippi County line and on the south by an east-west line projected from the levee to the State line, lying one mile south of the intersection of a graded road and the levee at the head of Wapanocca Bayou.

Mississippi County. The irregular portion on the eastern boundary of the county lying between the Mississippi River levee and the indeterminate Arkansas-Tennessee State line.

The property known as the Bert Hardesty Farm, shown on some ownership maps as the E. C. Adkisson Farm, located 1½ miles north and 3¼ miles east of the Town of Armorel on State Highway 137, this tract of land being the S½ of SE¼ of sec. 6, T. 15 N., R. 13 E.

KENTUCKY

Fulton County. The property owned and operated by Whitson Bros., in secs. 24 and 25, T. 1 N., R. 7 W., in the detached portion of Fulton County.

MISSISSIPPI

De Soto County. That portion of secs. 28, 29, 31, and 32, T. 2 S., R. 10 W., lying between the Mississippi River levee and the Mississippi-Arkansas State line.

All persons who desire to submit written data, views, or arguments in connection with this matter should file the same with the Director of the Plant Pest Control Division, Agricultural Research Service, United States Department of Agriculture, Washington 25, D. C., within 30 days after the date of the publication of this notice in the FEDERAL REGISTER.

(Sec. 9, 37 Stat. 318, sec. 106, Pub. Law 85-36, 85th Cong.; 7 U. S. C. 162. Interprets or applies sec. 8, 37 Stat. 318, as amended; 7 U. S. C. 161)

Done at Washington, D. C., this 30th day of August 1957.

[SEAL] E. D. BURGESS,
Director,
Plant Pest Control Division.

[F. R. Doc. 57-7323; Filed, Sept. 5, 1957; 8:51 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 3]

[Docket No. 12065]

TABLE OF ASSIGNMENTS; TELEVISION BROADCAST STATION (LAFAYETTE-TERRE HAUTE, IND.)

EXTENSION OF TIME FOR FILING COMMENTS

In the matter of amendment of § 3.606 *Table of assignments,* Television Broadcast Stations (Lafayette-Terre Haute, Indiana).

The Commission has before it for consideration the petition of Plains Television Corporation filed on August 26, 1957, requesting that the time for filing reply comments in the above-entitled proceeding be extended to September 9, 1957.

On June 24, 1957, the Commission released a Notice of Proposed Rule Making in this proceeding with respect to the proposal of Lafayette Broadcasting Company, Inc. for the shifting of television Channel 10 from Terre Haute to Lafayette, Indiana. The Notice specified that comments should be filed by August 1, 1957. On July 30, 1957, the Commission adopted an Order extending the time for filing comments to August 16, 1957, with reply comments to be filed by August 26, 1957.

On the last day for filing reply comments, Plains Television filed the subject request for an extension to September 9, 1957. Plains states that Northwestern Publishing Company (WDAN-TV), Danville, Illinois, submitted a counterproposal for the assignment of Channel 10 to Danville or to Danville-Lafayette and urges that this counterproposal has altered the issues in the proceeding and will require the filing of more extensive comments. Plains Television states, also, that the time for preparation of reply comments "fell within the August recess period" and that for this reason and due to the press of other business, it has been unable to complete preparation of reply comments in time for filing by the August 26th date.

The Commission is of the view that Plains Television has established good cause for extending the time for filing reply comments in this proceeding and that such extension will serve the public interest, convenience and necessity.

In view of the foregoing: *It is ordered,* That the aforesaid request of Plains Television Corporation for an extension of time to file reply comments in this proceeding is granted; and that the time for filing comments in the above-entitled proceeding is extended from August 26, 1957 to September 9, 1957.

Adopted: August 29, 1957.

Released: August 30, 1957.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] EVELYN F. EPPLEY,
Acting Secretary.

[F. R. Doc. 57-7327; Filed, Sept. 5, 1957; 8:52 a. m.

[47 CFR Parts 7, 8]

[Docket No. 11374; FCC 57-944]

SHIP AND COAST STATIONS USING RADIOTELEPHONY ON THE MISSISSIPPI RIVER AND CONNECTING INLAND WATERS (EXCEPT THE GREAT LAKES)

EXTENSION OF TIME FOR FILING PROPOSED FINDINGS OF FACTS AND CONCLUSIONS OF LAW AND REPLIES THERETO

In the matter of amendment of parts 7 and 8 of the Commission's rules to delete the frequencies 6240 and 6455 kc and to make 4372.4 kc available on a full-time basis for ship and coast stations using radiotelephony on the Mississippi River and connecting inland waters (except the Great Lakes), Docket No. 11374.

At a session of the Federal Communications Commission, held at its offices in

Washington, D. C., on the 30th day of August 1957;

The Commission having before it for consideration a petition filed by American Waterways Operators, Inc. in the above-entitled proceeding; requesting that the time for filing proposed findings of fact and conclusions of law be extended from September 5 until September 12, 1957, and that the time for filing replies be extended from September 16 to September 18, 1957;

It appearing that good cause having been shown in the petition for the requested extension of time; and

It further appearing that while this is an expedited proceeding and that the Commission has ordered the record to be certified to it for final decision, the requested extension will delay the filing of pleadings for only two days; and

It further appearing that all other parties to the proceeding have indicated that they have no objection to the granting of this petition, and have agreed to a waiver of § 1.745 of the Commission's rules;

It is ordered, That the petition of American Waterways Operators, Inc. is granted, and the time for filing proposed findings of fact and conclusions of law is extended to September 12, 1957, and the time for filing replies thereto is extended to September 18, 1957.

Released: September 3, 1957.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] EVELYN F. EPPLEY,
Acting Secretary.

[F. R. Doc. 57-7328; Filed, Sept. 5, 1957; 8:52 a. m.]

FEDERAL POWER COMMISSION

[18 CFR Part 260]

[Docket No. R-162]

SUBMISSION OF DATA BY INDEPENDENT PRODUCERS; REVISION OF FORM

ORDER DENYING MOTION FOR HEARING, POSTPONEMENT OF ORAL ARGUMENT AND FILING OF BRIEFS

AUGUST 29, 1957.

On August 21, 1957, Sam Sklar, Carter-Jones Drilling Company, Nemours Corporation, J. C. Trahan Drilling Contractors, Inc., Bluford Stinchcombe, M. Ascher, Frank J. Anderson, B. E. Barnhill, L. D. Sinclair, Herbert Liese, Helen E. Anderson, Margaret A. Boden, Associated Oil & Gas Company, Orange Grove Oil and Gas Corporation, H. J. Mosser, Independent Petroleum Association of America, Continental Oil Company, Seaboard Oil Company, Phillips Petroleum Company, Gulf Oil Corporation, Humble Oil & Refining Company, Pan American Petroleum Corporation (formerly Stanolind Oil and Gas Company), and Rocky Mountain Oil & Gas Association, filed in this matter a Motion for Hearing, Postponement of Oral Argument and Filing of Briefs.

The Commission has carefully considered the allegations contained in the motion and is of the opinion that ample time was given by its order issued July 25, 1957, to prepare for the oral argument set for September 5, 1957, and that the opportunity afforded to file briefs and present oral argument is in complete accord with the provisions of the Natural Gas Act and the Administrative Procedure Act.

The Commission finds: No good cause has been shown for the Commission to grant the above-mentioned motion filed on August 21, 1957, and the motion should be denied.

The Commission orders: The motion for hearing and for other relief filed in this proceeding on August 21, 1957, as described above, is hereby denied.

By the Commission.[1]

[SEAL] MICHAEL J. FARRELL,
Acting Secretary.

[F. R. Doc. 57-7311; Filed, Sept. 5, 1957; 8:50 a. m.]

NOTICES

DEPARTMENT OF THE TREASURY

Internal Revenue Service

RELIEF FROM EXCESS PROFITS TAX BECAUSE OF AN INADEQUATE EXCESS PROFITS CREDIT

ALLOWANCE DURING FISCAL YEAR ENDED JUNE 30, 1957

Subchapter E of Chapter 2 of the 1939 Internal Revenue Code imposes an excess profits tax on corporations for taxable years beginning after December 31, 1939. Under the provisions of this subchapter excess profits are measured by comparing the earnings for the current taxable year with a statutory excess profits credit.

Section 722 of Subchapter E reflects the recognition by Congress of the desirability and necessity of granting relief in meritorious cases to corporations which bear an excessive burden because of an inadequate excess profits credit. This section provides for the recomputation of excess profits tax on the basis of a reconstructed excess profits credit.

As required by section 6105 of the 1954 Internal Revenue Code the following list, containing the cases arranged alphabetically by internal revenue districts, shows the name and address of each corporation to which relief has been allowed, business, taxable years involved, excess profits credit before allowance of relief, increase in excess profits credit claimed, increase in excess profits credit allowed, decrease in excess profits tax, and increase in income tax. Allowance pursuant to decisions entered by The Tax Court of the United States has been made in forty-one docketed cases. These are included in the list with appropriate notations. There are included as a supplemental to this list three cases in which relief was allowed by the Commissioner and seventeen cases in which relief was allowed by The Tax Court of the United States during the fiscal year ended June 30, 1956. These cases were not included in the list of allowances made during the fiscal year 1956 previously published.

In order to determine the relief granted and the relevant data required to be published, intermediate computations of the excess profits tax and the income tax showing the amounts of taxes which would have been due without the benefits of section 722 were made. Comparison of the pertinent items and figures appearing in the application for relief and the tax computations after allowance of relief with those appearing in the intermediate tax computations developed the required data.

Explanations of certain items, as displayed in their respective column headings of the list, and the data evolved follow:

Business in which engaged, column 2. The business in which taxpayer is engaged is that reported in the income tax return of the corporation for the taxable year or years involved; therefore, it does not necessarily correspond with the business during the base period. In those instances where the return for the year involved failed to disclose the nature of the business, information from other sources was utilized. Moreover, since the nature of business shown usually represents a general description of the predominant business activity, it does not necessarily represent or reflect the business activity with respect to which an inadequate excess profits credit was established.

Excess profits credit before allowance of relief, column 4. The excess profits credit before allowance of relief is the credit originally claimed by the taxpayer, as corrected, whether based on income or capital.

Increase in the amount of excess profits credit claimed by taxpayer, column 5. The increase in the amount of excess profits credit claimed by taxpayer is the excess of the credit based on the constructive income claimed by the taxpayer over the credit before allowance of relief shown in column 4.

Increase in the amount of excess profits credit allowed, column 6. This increase in the amount of excess profits credit allowed is the excess of the recomputed credit based on constructive income finally allowed over the credit before allowance of relief shown in column 4.

Gross reduction in the excess profits tax, column 7.

Gross increase in the income tax, column 8. The gross reduction in the excess profits tax and the gross increase in the income tax resulting from the operation of section 722 are the difference between the gross taxes which would have been due without the benefits of section 722 and the gross taxes due after relief has been granted. The gross excess profits tax is the tax due prior to the deferment under section 710 (a)

[1] Commissioner Digby dissenting.

(5), the foreign tax credit under section 729, the credit for debt retirement under section 783, the ten per cent credit under section 784, and the adjustment under section 734. The gross income tax is the tax prior to the foreign tax credit under section 131.

The changes in the income and excess profits taxes shown reflect the effect of the increase attributable to section 722 in the unused excess profits credit carried forward from prior taxable years as well as the effect of the increase in unused excess profits credit carried back from subsequent years to the extent that claims with respect to unused credit carry-overs and carry-backs determined under section 722 were allowed within the same fiscal year.

While the decrease in excess profits tax is directly related to the increase in excess profits credit allowed, a number of factors serve to invalidate a comparison of the relationship of these two items applicable to a corporation for different taxable years or to different corporations for the same taxable year. Among the most important factors affecting this comparison are (1) increase in excess profits tax rates, (2) changes in rate structure from a graduated to a flat rate system, (3) effect of unused excess profits credits of prior and subsequent years attributable to section 722, (4) variations of provisions applicable to fiscal years, (5) limitation of excess profits tax to the amount of which 80 percent of net income exceeds the income tax, applicable to certain taxable years, and (6) relation of excess profits before the application of section 722 to the increase in excess profits credit allowed.

For taxable years beginning after December 31, 1940, a portion of the amount by which the excess profits tax is reduced by reason of the application of section 722 is offset by an increase in income tax. This offset arises from the provisions which permit the deduction of the income subject to excess profits tax (or excess profits tax in certain taxable years) in arriving at income subject to income tax.

Lists containing the cases in which relief has been allowed for prior fiscal years have been published in the various issues of the FEDERAL REGISTER as follows:

Fiscal year ended—	Volume	No.	Date
June 30, 1942	9	194	Sept. 28, 1944
June 30, 1943	9	194	Do.
June 30, 1944	9	219	Nov. 2, 1944
June 30, 1945	10	224	Nov. 15, 1945
June 30, 1946	11	196	Oct. 8, 1946
June 30, 1947	12	197	Oct. 8, 1947
June 30, 1948	13	206	Oct. 21, 1948
June 30, 1949	14	201	Oct. 18, 1949
June 30, 1950	15	205	Oct. 21, 1950
June 30, 1951	16	211	Oct. 30, 1951
June 30, 1952	17	175	Sept. 6, 1952
June 30, 1953	18	164	Aug. 21, 1953
June 30, 1954	19	185	Sept. 23, 1954
June 30, 1955	20	219	Nov. 9, 1955
June 30, 1956	21	183	Sept. 20, 1956

[SEAL] O. GORDON DELK,
Acting Commissioner of Internal Revenue.

EXCESS PROFITS TAX RELIEF GRANTED UNDER SECTION 722 OF THE INTERNAL REVENUE CODE OF 1939 BY THE COMMISSIONER OF INTERNAL REVENUE

FISCAL YEAR ENDED JUNE 30, 1957

Name and address of taxpayer (arranged by Internal Revenue districts in which excess profits tax returns were filed) (1)	Business in which engaged (2)	Taxable year ended (3)	Excess profits credit before allowance of relief (4)	Increase in the amount of excess profits credit claimed by taxpayer (5)	Increase in the amount of excess profits credit allowed (6)	Gross reduction in the excess profits (sub-ch. E) tax resulting from the operation of sec. 722 (7)	Gross increase in the income (ch. 1) tax resulting from the operation of sec. 722 (8)
Albany:							
Watervliet Tool Co., Inc., 1349 Broadway, Albany, N. Y.	Manufacturer — tools and reamers.	Dec. 31, 1941 [1]	$11,192.00	$46,792.20	$7,808.00	$3,145.34	$1,383.95
		Dec. 31, 1942 [1]	11,192.00	46,792.20	7,808.00	7,027.20	2,190.45
		Dec. 31, 1944 [1]	14,357.76	43,626.44	4,642.24	4,980.13	2,563.26
		Dec. 31, 1945 [1]	16,025.38	41,958.82	2,974.62	2,825.89	1,576.56
Atlanta:							
Peerless Woolen Mills, Rossville, Ga.	Manufacturers of woolen cloth.	June 30, 1941 [1]	353,250.01	218,185.14	30,419.24	13,688.66	None
		June 30, 1942 [1]	425,834.11	351,831.04	57,004.93	34,202.96	10,602.93
		June 30, 1944 [1]	461,483.99	305,832.41	11,006.30	18,845.34	9,029.53
		June 30, 1945 [1]	455,552.08	310,379.03	15,552.92	8,360.83	8,360.83
		June 30, 1946 [1]	442,618.59	323,312.52	28,486.41	13,948.90	5,861.21
Boston:							
First National Stores, Inc., 5 Middlesex Ave., Somerville, Mass.	Retail grocery and meat stores.	Mar. 31, 1943	3,263,536.87	598,134.83	59,475.33	507,902.06	225,734.25
		Mar. 31, 1944	3,263,536.87	598,134.83	59,475.33	54,267.17	23,790.13
		Mar. 31, 1945	3,263,536.87	598,134.83	59,475.33	56,501.56	23,790.14
		Mar. 31, 1946	3,263,536.87	598,134.83	59,475.93	42,569.67	17,924.07
Fraser's Inc. (Formerly: Fraser Dry Goods Co.), 144-152 Main St., Brockton, Mass.	Retail dry goods	Jan. 31, 1945 [1]	10,408.13	32,976.52	516.87	491.02	149.90
		Jan. 31, 1946 [1]	10,408.13	32,976.52	516.87	449.32	137.17
Peter R. Previte, Inc., 18 Clarendon St., Boston, Mass.	Wholesale florists	Dec. 31, 1945	2,086.83	9,313.17	763.17	824.14	234.28
Camden:							
Thermoid Co., Whitehead Rd., Trenton, N. J.	Manufacturing	Dec. 31, 1940 [1]	317,214.94	590,095.39	76,589.51	32,047.03	None
		Dec. 31, 1941 [1]	366,203.07	533,538.17	118,483.64	62,350.97	None
		Dec. 31, 1942 [1]	358,252.43	824,385.47	118,483.64	106,635.27	47,393.46
		Dec. 31, 1943 [1]	350,210.28	824,385.47	118,483.64	131,317.89	58,363.51
		Dec. 31, 1944 [1]	352,284.90	824,385.47	118,483.64	112,559.46	47,393.46
		Dec. 31, 1945 [1]	396,447.03	824,385.47	118,483.64	77,005.58	32,423.40
Chicago:							
Acme Visible Records, Inc., Crozet, Va. (Formerly: Chicago, Ill.).	Visible card system	Sept. 30, 1941 [1]	52,441.48	91,089.51	13,773.52	4,505.96	None
		Sept. 30, 1942 [1]	61,060.47	118,886.25	24,439.53	13,234.26	5,580.67
J. P. Seeburg Corp., 1510 North Dayton St., Chicago, Ill.	Manufacturer of automatic musical instruments and electronic equipment.	Sept. 30, 1943	788,317.73	1,111,682.27	42,932.27	115,917.12	51,518.73
		Sept. 30, 1944	788,317.73	1,111,682.27	42,932.27	80,492.14	34,345.82
		Sept. 30, 1945	785,124.58	1,111,682.27	42,932.27	40,785.66	17,172.91
Cleveland:							
The Alliance Manufacturing Co., Lake Park Blvd., Alliance, Ohio.	Manufacturers of fractional horsepower motors.	Dec. 31, 1941 [2]	38,242.43	10,643.52	10,259.57	3,393.77	1,052.05
		Dec. 31, 1942 [1]	24,312.96	24,572.99	24,189.04	21,234.09	12,364.93
		Dec. 31, 1943 [1]	32,528.09	16,317.86	15,933.91	14,333.76	10,082.46
		Dec. 31, 1944 [1]	49,400.89	62,185.21	1,045.11	5,875.43	3,808.17
Denver:							
Public Service Co. of Colorado, 900 15th St., Denver, Colo.	Electric and gas utility	Nov. 30, 1943 to Dec. 31, 1943 [1]	2,699,935.11	752,187.53	343,279.33	27,086.14	12,268.91
		Dec. 31, 1944 [1]	2,699,935.11	752,187.53	343,279.33	326,115.36	137,148.94
		Dec. 31, 1945 [1]	2,699,935.11	752,187.53	343,279.33	326,115.36	137,311.73
Des Moines:							
Journal—Tribune Publishing Co., 423 Douglas St., Sioux City, Iowa.	Newspaper publishers	Oct. 31, 1943 [3]	8,791.86	282,702.98	152,708.14	124,471.53	63,428.68
		Oct. 31, 1944 [3]	12,877.82	278,617.02	152,422.18	112,795.73	64,399.41
		Oct. 31, 1945 [3]	11,082.77	280,412.07	154,217.23	104,399.10	61,886.90
Detroit:							
Crystal Refining Co. of Carson City, Inc., Now: Carson City Refineries Inc., Carson City, Mich.	Crude oil refinery	Dec. 31, 1941 [1]	83,099.80	131,923.79	49,900.20	18,089.32	5,607.69
		Dec. 31, 1942 [1]	83,099.80	131,923.79	49,900.20	87,279.56	38,790.91
		Dec. 31, 1943 [1]	83,099.80	131,923.79	49,900.20	44,910.18	19,960.08
		Dec. 31, 1944 [1]	83,099.80	131,923.79	49,900.20	94,810.38	39,920.16
		Dec. 31, 1945 [1]	83,099.80	131,923.79	49,900.20	47,405.19	19,960.08
The Detroit Edison Co., 2000 Second Ave., Detroit, Mich.	Public utility	Dec. 31, 1942 [1]	8,611,292.79	5,996,460.62	218,957.21	416,885.87	185,282.61
		Dec. 31, 1943 [1]	8,603,713.14	6,016,732.32	226,536.86	203,883.18	90,614.75
		Dec. 31, 1945 [1]	8,389,846.04	6,057,221.39	268,077.82	254,673.93	107,231.13
Fitzjohn Coach Co., Muskegon, Mich.	Manufacturing busses	Nov. 30, 1941 [3]	29,944.29	93,555.71	26,533.21	7,314.76	None
		Nov. 30, 1942 [3]	35,877.42	87,622.58	32,997.58	22,031.54	9,000.55
		Nov. 30, 1943 [3]	35,877.42	87,622.58	32,997.58	29,697.82	14,384.97
		Nov. 30, 1944 [3]	35,877.42	87,622.58	32,997.58	19,572.87	13,790.02

See footnotes at end of table.

EXCESS PROFITS TAX RELIEF GRANTED UNDER SECTION 722 OF THE INTERNAL REVENUE CODE OF 1939 BY THE COMMISSIONER OF INTERNAL REVENUE—Continued

FISCAL YEAR ENDED JUNE 30, 1957—continued

Name and address of taxpayer (arranged by Internal Revenue districts in which excess profits tax returns were filed)	Business in which engaged	Taxable year ended	Excess profits credit before allowance of relief	Increase in the amount of excess profits credit claimed by taxpayer	Increase in the amount of excess profits credit allowed	Gross reduction in the excess profits (sub-ch. E) tax resulting from the operation of sec. 722	Gross increase in the income (ch. 1) tax resulting from the operation of sec. 722
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Hartford:							
The Whitney Blake Co., P. O. Box K, Hamden, Conn.	Manufacturer of insulated wire.	Dec. 31, 1940[1]	$51, 993. 76	$57, 541. 24	$3, 581. 24	$2, 127. 15	None
		Dec. 31, 1941[1]	59, 965. 16	69, 329. 84	6, 534. 84	4, 482. 36	$1, 389. 53
New Haven Terminal, Inc., 30 Waterfront St., New Haven, Conn.	Rail, water, and truck terminal.	June 30, 1944[1]	26, 375. 48	106, 624. 52	3, 549. 52	17, 267. 71	8, 559. 89
		June 30, 1945[1]	24, 947. 74	108, 052. 26	4, 977. 26	15, 830. 91	6, 623. 59
		June 30, 1946[1]	23, 569. 37	109, 430. 63	6, 355. 63	4, 718. 02	3, 297. 86
Indianapolis:							
Champion Corp., 4714 Sheffield Ave., Hammond, Ind.	Manufacturing farm machinery.	Nov. 30, 1943[1]	38, 339. 79	111, 314. 18	6, 310. 21	5, 300. 79	2, 355. 90
		Nov. 30, 1944[1]	38, 339. 79	111, 314. 18	6, 310. 21	7, 604. 77	3, 487. 24
		Nov. 30, 1945[1]	38, 339. 79	111, 314. 18	6, 310. 21	5, 994. 70	2, 739. 92
		Nov. 30, 1946[1]	38, 339. 79	111, 314. 18	6, 310. 21	314. 83	231. 85
Greater Indianapolis Amusement Co., Inc., 134 West Washington St., Indianapolis, Ind.	Motion picture theaters	Sept. 30, 1941[1]	3, 368. 99	33, 076. 78	13, 731. 01	2, 694. 47	None
		Sept. 30, 1942[1]	3, 795. 63	32, 650. 14	26, 604. 37	19, 838. 51	8, 281. 34
Jackson:							
Seminole Manufacturing Co., Columbus, Miss.	Clothing manufacturing	Oct. 31, 1941[1]	74, 192. 51	142, 628. 37	14, 632. 49	6, 794. 06	None
		Oct. 31, 1942[1]	102, 029. 11	164, 928. 87	11, 970. 89	11, 052. 89	4, 630. 81
		Oct. 31, 1943[1]	103, 691. 42	163, 286. 51	10, 328. 53	14, 454. 37	6, 424. 17
		Oct. 31, 1945[1]	108, 176. 11	163, 246. 84	10, 288. 86	12, 194. 42	5, 134. 49
Jacksonville:							
Moore Dry Kiln Co., 1220 West State St., Jacksonville, Fla.	Dry kiln manufacturers	Dec. 31, 1941[1]	67, 624. 29	112, 863. 01	11, 223. 01	5, 611. 50	1, 739. 57
		Dec. 31, 1942[1]	67, 614. 99	165, 123. 01	11, 223. 01	10, 100. 71	4, 489. 20
Kansas City:							
Nutrena Mills, Inc. (Kansas) successor to Nutrena Mills, Inc. (Missouri), 44 Ewing St., Kansas City, Kans.	Feed	Dec. 31, 1941[3]	138, 733. 77	290, 269. 20	19, 000. 00	14, 250. 00	4, 417. 50
		Dec. 31, 1942[3]	153, 803. 78	275, 525. 91	4, 256. 73	3, 831. 05	1, 702. 69
Los Angeles:							
General Teleradio Inc. (Formerly: Thomas S. Lee Enterprises, Inc.), 1313 North Vine St., Hollywood, Calif.	Radio broadcasting	Dec. 31, 1940[1]	66, 709. 72	353, 469. 52	30, 665. 28	1, 349. 10	None
		Dec. 31, 1941[1]	85, 171. 75	335, 007. 49	33, 578. 25	23, 763. 10	7, 366. 56
		Dec. 31, 1942[1]	109, 941. 01	313, 708. 28	8, 808. 99	7, 928. 09	3, 523. 60
		Dec. 31, 1943[1]	112, 424. 11	311, 225. 18	6, 325. 89	5, 693. 30	2, 530. 35
Rocky Mountain Drilling Co., 437 South Hill St., Los Angeles, Calif.	Drilling contractors and operators.	July 31, 1944[3]	53, 629. 46	118, 804. 09	10, 970. 54	40, 543. 54	17, 455. 02
		July 31, 1945[3]	53, 629. 46	178, 103. 12	10, 970. 54	10, 422. 01	4, 388. 22
		July 31, 1946[3]	53, 629. 46	178, 103. 12	10, 970. 54	2, 258. 19	1, 839. 43
Lower Manhattan:							
Allied Chemical & Dye Corp., successor by merger to National Aniline & Chemical Co., Inc., 61 Broadway, New York, N. Y.	Manufacturing and selling dyestuffs, colors, etc.	Dec. 31, 1940[1]	2, 867, 855. 13	638, 587. 16	32, 019. 87	12, 156. 62	None
		Jan. 1, 1941 to Oct. 31, 1941[1]	3, 400, 695. 46	757, 064. 55	97, 481. 31	54, 942. 72	17, 032. 24
West Penn Power Co. c/o West Penn Electric Co., 50 Broad St., New York, N. Y.	Electric light and power	Dec. 31, 1942	6, 248, 792. 98	2, 666, 337. 87	280, 010. 51	264, 892. 95	112, 004. 21
		Dec. 31, 1943	6, 259, 384. 76	2, 655, 746. 09	269, 435. 56	452, 033. 88	200, 903. 95
		Dec. 31, 1944	6, 300, 031. 15	2, 615, 099. 70	228, 816. 05	217, 375. 24	91, 526. 42
Milwaukee:							
Ray-O-Vac Co., 2317 Winnebago Ave., Madison, Wis.	Manufacturing dry cell batteries.	Dec. 31, 1940[1]	151, 035. 57	101, 237. 40	23, 725. 74	6, 116. 39	None
		Dec. 31, 1941[1]	183, 914. 31	139, 019. 66	47, 613. 89	24, 461. 85	7, 583. 17
		Dec. 31, 1942[1]	193, 553. 62	164, 702. 23	37, 473. 06	33, 725. 75	14, 989. 22
		Dec. 31, 1943[1]	192, 559. 33	164, 720. 19	37, 491. 02	28, 704. 28	14, 996. 41
Nashville:							
D. Canale & Co., 408 South Front St., Memphis, Tenn.	Produce and beer distributors.	Mar. 31, 1943[1]	40, 352. 52	51, 558. 08	7, 147. 48	6, 432. 73	3, 445. 49
		Mar. 31, 1944[1]	42, 119. 01	49, 791. 59	5, 380. 99	5, 245. 28	1, 029. 72
		Mar. 31, 1945[1]	43, 545. 28	48, 365. 32	3, 954. 72	4, 017. 60	1, 691. 62
		Mar. 31, 1946[1]	45, 926. 06	45, 984. 54	1, 573. 94	1, 268. 15	533. 96
Newark:							
Martin Weiner Corp., (formerly: Wohl Fabrics Co.) 225 Clifton Blvd., Clifton, N. J.	Converters of piece goods	Dec. 31, 1941[3]	34, 166. 87	150, 643. 28	7, 158. 13	3, 221. 16	998. 56
		Dec. 31, 1942[3]	35, 766. 87	150, 643. 28	7, 158. 13	6, 442. 32	3, 793. 81
New Orleans:							
Pan-Am Southern Corp., (formerly: Root Petroleum Co.) P. O. Box 2, New Orleans, La.	Oil	Dec 31, 1941[1]	299, 468. 20	801, 490. 55	129, 449. 36	140, 842. 70	43, 661. 24
		Dec. 31, 1942[1]	300, 666. 52	781, 552. 08	125, 923. 16	113, 330. 84	50, 369. 27
		Dec. 31, 1943[1]	275, 675. 37	811, 336. 76	149, 605. 89	134, 645. 30	59, 842. 35
		Dec. 31, 1944[1]	238, 414. 29	831, 923 18	186, 095. 24	143, 423. 00	74, 438. 09
		Dec. 31, 1945[1]	246, 729. 99	828, 424. 65	176, 101. 92	112, 162. 86	70, 440. 77
Oklahoma City:							
Rocky Mountain Pipe Line Co., P. O. Drawer 1267, Ponca City, Okla.	Transportation of crude oil by pipeline.	Dec. 31, 1940[3]	403, 664. 77	359, 361. 81	31, 160. 01	13, 354. 18	None
		Dec. 31, 1941[3]	509, 575. 99	404, 228. 30	38, 000. 00	41, 800. 00	12, 958. 00
		Dec. 31, 1942[3]	509, 575. 99	404, 228. 30	38, 000. 00	11, 948. 48	5, 310. 43
Omaha:							
Johnson Fruit Co., 717 West First St., Hastings, Nebr.	Wholesale fruit and vegetables.	Dec. 31, 1942[1]	14, 710. 83	35, 299. 47	9, 989. 17	21, 736. 66	11, 612. 85
		Dec. 31, 1943[1]	15, 950. 63	34, 059. 67	8, 749. 37	11, 095. 40	5, 519. 81
		Dec. 31, 1944[1]	17, 595. 90	32, 414. 40	7, 104. 10	6, 839. 15	3, 815. 52
		Dec 31, 1945[1]	19, 454. 49	30, 555. 81	5, 245. 51	5, 009. 36	2, 794. 09
The Famous Mercantile Corp., 1218 O St., Lincoln, Nebr.	Retail ladies' ready-to-wear	Aug. 31, 1943[4]	2, 339. 85	12, 932. 14	3, 645. 15	10, 114. 53	3, 058. 68
		Sept. 1, 1943 to July 31, 1944[4]	2, 793. 18	12, 478. 81	3, 191. 82	2, 751. 15	796. 51
Parkersburg:							
Ohio—Apex, Inc., Nitro, W. Va	Manufacturing chemicals	Oct. 31, 1942[1]	105, 609. 32	511, 890. 68	51, 140. 68	34, 460. 45	12, 768. 02
		Oct. 31, 1943[1]	105, 609. 32	511, 890. 68	51, 140. 68	34, 784. 97	20, 456. 28
		Oct. 31, 1944[1]	105, 655. 41	511, 890. 68	51, 140. 68	23, 876. 95	20, 456. 26
		Oct. 31, 1945[1]	105, 655. 41	511, 890. 68	51, 140. 68	42, 694. 74	20, 456. 28
		Oct. 31, 1946[1]	105, 674. 71	511, 936. 77	51, 140. 68	8, 119. 47	3, 418. 72
Philadelphia:							
Hanover Canning Co., Hanover, Pa	Vegetable canning	May 31, 1941[3]	7, 152. 47	17, 100. 00	9, 947. 53	943. 28	None
		May 31, 1942[3]	8, 076. 85	47, 507. 13	9, 023. 15	3, 792. 47	1, 175. 67
		May 31, 1943[3]	8, 191. 54	52, 378. 46	8, 908. 46	8, 017. 61	2, 447. 29
		May 31, 1944[3]	10, 392. 63	60, 570. 00	8, 546. 17	4, 746. 51	3, 328. 93
		May 31, 1945[3]	14, 453. 94	50, 916. 06	7, 446. 06	8, 462. 32	4, 239. 23
Pittsburgh:							
Latrobe Electric Steel Co., 2626 Ligonier St., Latrobe 22, Pa.	Manufacturing iron and steel	Dec. 31, 1940[1]	199, 117. 27	481, 610. 60	41, 232. 73	18, 799. 61	None
		Dec. 31, 1941[1]	241, 748. 28	587, 558. 70	76, 501. 72	46, 713. 94	14, 061. 32
Portsmouth:							
Claremont Waste Manufacturing Co., Claremont, N. H.	Flock manufacturers	Dec. 31, 1941[3]	76, 748. 58	113, 251. 42	4, 719. 96	1, 887. 99	585. 27
Verney Corp. (formerly: Verney Mills, Inc.), McGregor St., Manchester, N. H.	Textile manufacturing	June 30, 1942[1]	29, 633. 01	146, 176. 16	41, 616. 99	25, 740. 85	7, 979. 67
		July 1, 1943 to Dec. 31, 1943[1]	72, 939. 50	701, 570. 85	18, 470. 50	9, 390. 50	6, 580. 35
		June 30, 1943[1]	65, 521. 40	706, 937. 88	23, 837. 53	32, 665. 16	15, 297. 77
		Dec. 31, 1945[1]	86, 833. 28	687, 677. 07	4, 576. 72	12, 036. 93	7, 534. 60

See footnotes at end of table.

EXCESS PROFITS TAX RELIEF GRANTED UNDER SECTION 722 OF THE INTERNAL REVENUE CODE OF 1939 BY THE COMMISSIONER OF INTERNAL REVENUE—Continued

SUPPLEMENTAL LIST FOR FISCAL YEAR ENDED JUNE 30, 1956—continued

Name and address of taxpayer (arranged by Internal Revenue districts in which excess profits tax returns were filed) (1)	Business in which engaged (2)	Taxable year ended (3)	Excess profits credit before allowance of relief (4)	Increase in the amount of excess profits credit claimed by taxpayer (5)	Increase in the amount of excess profits credit allowed (6)	Gross reduction in the excess profits (sub-ch. E) tax resulting from the operation of sec. 722 (7)	Gross increase in the income (ch. 1) tax resulting from the operation of sec. 722 (8)
St. Louis:							
The Berland Shoe Stores, Inc., 4241 Folsom St., St. Louis 10, Mo.	Retail women's footwear	Jan. 31, 1941 [1]	$102,277.03	$318,162.89	$24,781.08	$6,810.28	None
		Jan. 31, 1942 [1]	120,837.33	293,623.45	29,481.73	14,740.87	$4,569.67
		Feb. 1, 1942 to July 31, 1942 [1]	126,347.76	309,952.21	23,720.34	10,586.42	4,744.06
		July 31, 1943 [1]	126,347.76	355,440.07	23,720.34	19,261.16	9,488.14
		July 31, 1944 [1]	126,347.76	355,440.07	23,720.34	22,038.53	9,488.13
International Shoe Co., 1509 Washington Ave., St. Louis 3, Mo.	Shoe manufacturing	Nov. 30, 1941 [1]	7,211,052.76	5,869,737.59	384,197.24	1,661.66	None
		Nov. 30, 1942 [1]	8,698,196.64	4,382,593.71	564,303.36	409,545.09	155,580.76
		Nov. 30, 1943 [1]	8,698,196.64	4,382,593.71	564,303.36	507,873.03	225,721.34
		Nov. 30, 1944 [1]	8,698,196.64	4,382,593.71	564,303.36	15,266.35	6,464.92
		Nov. 30, 1945 [1]	8,698,196.64	4,382,593.71	564,303.36	1,583,812.73	666,868.52
San Francisco:							
Flotill Products, Inc., Fresno and South Aves., Stockton, Calif.	Cannery	Aug. 31, 1941 [3]	55,348.80	302,820.80	19,918.41	3,012.05	None
		Aug. 31, 1942 [3]	65,758.01	450,812.77	67,241.99	62,028.29	21,992.17
		Aug. 31, 1943 [3]	65,758.01	450,812.77	67,241.99	57,751.15	26,896.80
		Aug. 31, 1944 [3]	65,758.01	450,812.77	67,241.99	62,759.17	26,896.77
Frank Raiter Canning Co., Foot of East San Luis St., Salinas, Calif.	Canning fruits and vegetables	May 31, 1942 [1]	6,616.31	21,883.69	4,783.69	2,450.57	1,078.25
		May 31, 1943 [1]	5,457.88	23,042.12	5,942.12	5,672.26	2,451.04
		May 31, 1944 [1]	6,180.11	22,319.89	5,219.89	3,248.05	1,944.24
		May 31, 1945 [1]	12,729.64	25,797.36	None	2,644.91	891.91
		May 31, 1946 [1]	14,202.62	24,324.38	None	350.15	106.94
Tacoma:							
Washington Asphalt Co., 309 West 39th St., Seattle, Wash.	Paving contractors	Dec. 31, 1944 [1]	3,270.43	63,279.65	3,854.57	3,835.58	1,090.11
Upper Manhattan:							
The American Home Magazine Co., 300 Park Ave., New York, N. Y.	Publishing	Dec. 31, 1944	134,919.06	523,559.19	57,721.94	164.507,53	69,266.33
Celanese Chemical Corp., Celanese Corporation of America, successor, 180 Madison Ave., New York, N. Y.	Sale of chemicals and chemical products.	Dec. 31, 1945	80.00	151,112.50	70,017.65	50,412.66	29,417.46
DeBoer & Livingston, Inc., 274 Madison Ave., New York, N. Y.	Manufacturer and wholesaler dresser sets, perfume bottles, etc.	Apr. 30, 1942 [1]	2,254.76	35,745.24	2,115.24	477.83	104.41
		Apr. 30, 1944 [1]	2,818.47	35,181.53	1,551.53	810.62	243.19
		Apr. 30, 1945 [1]	2,983.70	35,016.30	1,386.30	1,316.98	374.30
Magazines of Industry, Inc., 99 Church St., New York, N. Y.	Publishing	Oct. 31, 1943 [1]	15,137.65	58,819.95	2,912.45	2,621.20	1,521.60
		Oct. 31, 1944 [1]	16,707.87	57,249.63	1,342.13	1,263.83	657.64
		Oct. 31, 1946 [1]	16,924.56	56,073.29	165.79	26.32	14.69
Thomas Wilson & Co., Inc., 200 Madison Ave., New York, N. Y.	Lace manufacturers and importers.	Dec. 31, 1941 [1]	51,815.62	118,803.17	5,184.38	2,073.76	642.86
		Dec. 31, 1942 [1]	51,814.72	118,804.07	10,885.28	9,796.75	4,354.11
		Dec. 31, 1943 [1]	51,814.72	118,804.07	10,885.28	9,796.75	4,354.13
		Dec. 31, 1944 [1]	51,814.72	118,804.07	10,885.28	10,341.02	4,354.11
		Dec. 31, 1945 [1]	51,814.72	118,804.07	10,885.28	10,341.01	4,354.12

SUPPLEMENTAL LIST FOR FISCAL YEAR ENDED JUNE 30, 1956

Boston:							
Fabreeka Products Co., 222 Summer St., Boston, Mass.	Manufacturers of insulating pads and distributors of transmission and conveyor belting.	Dec. 31, 1940 [1]	$9,578.03	$177,136.93	$1,887.97	$471.99	None
		Dec. 31, 1941 [1]	9,127.90	176,790.70	8,856.74	3,985.53	$1,235.52
Brooklyn:							
The Blum Folding Paper Box Co., Inc., Box 82, Valley Stream, Long Island, N. Y.	Manufacturers of folding paper boxes.	Dec. 31, 1942 [3]	12,177.84	64,453.91	9,197.16	8,496.10	3,013.83
		Dec. 31, 1943 [3]	13,110.80	63,520.95	8,264.20	7,530.22	2,716.56
		Dec. 31, 1944 [3]	14,825.49	61,806.26	6,549.51	6,222.03	3,429.36
Chicago:							
Meyer & Wenthe, Inc., 30 South Jefferson St., Chicago, Ill.	Manufacture marking devices.	Dec. 31, 1941 [1]	7,548.96	70,745.29	3,376.04	1,198.23	275.59
		Dec. 31, 1942 [1]	7,923.21	70,371.04	3,001.79	2,057.89	810.48
		Dec. 31, 1943 [1]	8,106.91	70,187.34	2,818.09	4,021.32	1,206.41
		Dec. 31, 1944 [1]	8,732.00	69,562.25	2,193.00	2,083.31	611.03
Cleveland:							
Bardons & Oliver, Inc., 1133 West Ninth St., Cleveland, Ohio.	Machine tool manufacturing	Dec. 31, 1940 [3]	33,652.99	255,984.91	15,390.53	6,925.74	None
		Dec. 31, 1941 [3]	49,467.57	264,032.43	19,000.00	11,400.00	3,534.00
Jacksonville:							
Publix Super Markets, Inc. (formerly: Lakeland Grocery Co., Inc.), 115 North Florida Ave., Lakeland, Fla.	Wholesale and retail grocery	Dec. 31, 1942 [1]	25,412.04	32,389.09	1,187.96	1,069.16	475.19
		Dec. 31, 1943 [1]	25,412.04	32,389.09	1,187.96	1,069.17	629.62
		Dec. 31, 1944 [1]	25,412.04	19,536.85	1,187.96	1,128.56	629.62
		Dec. 31, 1945 [1]	25,412.04	19,536.85	1,187.96	1,128.56	629.62
United Paper Co., P. O. Box 958, Tampa, Fla.	Fruit wraps, facial tissues, etc.	Mar. 31, 1944 [1]	83,208.66	100,143.47	8,341.34	7,610.91	3,336.53
		Mar. 31, 1945 [1]	83,208.66	100,143.47	8,341.34	7,924.27	3,337.53
		Mar. 31, 1946 [1]	83,208.66	100,143.47	8,341.34	5,970.35	2,513.82
Los Angeles:							
Pacific Employers Insurance Co., 1033 South Hope St., Los Angeles, Calif.	Insurance (other than life or mutual).	Dec. 31, 1942 [1]	288,493.25	198,381.65	34,506.75	62,112.15	27,605.40
		Dec. 31, 1943 [1]	289,082.40	198,381.65	34,506.75	13,662.44	6,072.21
The Plomb Tool Co., 2209 Santa Fe Ave., Los Angeles, Calif.	Manufacturers of hand tools	Dec. 31, 1940 [1]	37,835.90	149,723.88	4,594.48	3,563.65	None
		Dec. 31, 1941 [1]	54,486.16	140,309.32	22,292.92	15,685.36	4,862.46
Seaboard Finance Co., transferee Seaboard Finance Co. of California, transferor, 945 South Flower St., Los Angeles, Calif.	Small loans	Sept. 30, 1942 [3]	281,046.95	92,204.51	25,894.51	13,454.46	4,960.63
		Sept. 30, 1942 [1]	278,105.49	92,204.51	25,894.51	15,783.41	7,014.84
		Sept. 30, 1944 [1]	265,000.87	92,204.51	25,894.51	24,274.34	10,357.80
		Sept. 30, 1945 [1]	298,895.44	92,204.51	25,894.51	24,599.79	10,357.80
Lower Manhattan:							
Hofor Tobacco Corp., 99 Wall St., New York, N. Y.	Wholesale tobacco	Dec. 31, 1942 [1]	32,979.69	33,520.31	12,145.31	14,170.78	8,328.77
		Dec. 31, 1943 [1]	35,098.46	31,401.54	10,026.54	9,023.88	5,297.82
		Dec. 31, 1944 [1]	37,802.40	28,697.60	7,322.60	6,956.47	3,214.73
		Dec. 31, 1945 [1]	41,071.38	25,428.62	4,053.62	3,850.94	1,621.45
Milwaukee:							
Allen-Bradley Co., 136 West Greenfield Ave., Milwaukee, Wis.	Manufacture and sale of electrical control apparatus and radio parts.	Dec. 31, 1940	196,514.48	148,216.34	17,445.21	7,850.34	None
		Jan. 1, 1941 to Nov. 30, 1941	262,364.33	146,868.97	20,799.00	11,419.51	3,540.04
		Nov. 30, 1942	262,248.43	146,984.87	20,914.90	10,795.48	5,653.31

See footnotes at end of table.

EXCESS PROFITS TAX RELIEF GRANTED UNDER SECTION 722 OF THE INTERNAL REVENUE CODE OF 1939 BY THE COMMISSIONER OF INTERNAL REVENUE—Continued

SUPPLEMENTARY LIST FOR FISCAL YEAR ENDED JUNE 30, 1956—continued

Name and address of taxpayer (arranged by Internal Revenue districts in which excess profits tax returns were filed) (1)	Business in which engaged (2)	Taxable year ended (3)	Excess profits credit before allowance of relief (4)	Increase in the amount of excess profits credit claimed by taxpayer (5)	Increase in the amount of excess profits credit allowed (6)	Gross reduction in the excess profits (sub-ch. E) tax resulting from the operation of sec. 722 (7)	Gross increase in the income (ch. 1) tax resulting from the operation of sec. 722 (8)
Newark:							
Boonton Molding Co., 326 Myrtle Ave., Boonton, N. J.	Molders of plastics	Dec. 31, 1941 [3]	$36,011.34	$219,697.00	$72,200.00	$31,861.47	$9,877.06
		Dec. 31, 1942 [2]	39,841.46	269,544.12	72,200.00	59,670.01	29,530.61
		Dec. 31, 1943 [3]	40,151.82	377,024.43	72,200.00	54,071.07	29,510.52
		Dec. 31, 1944 [3]	40,151.82	377,024.43	72,200.00	64,364.78	28,880.00
		Dec. 31, 1945 [3]	35,534.88	377,024.43	72,200.00	68,590.00	29,460.47
Cliffside Dyeing Corp., 99 Cliff St., Paterson, N. J.	Textile dyeing and finishing of rayons, acetates, and mixtures.	May 31, 1943 [1]	1,646.87	104,729.13	40,153.13	27,809.49	16,609.34
John Simmons Co., 152 Mulberry St., Newark, N. J.	Jobbers of pipe, fittings, plumbing supplies.	Dec. 31, 1943 [3]	5,142.65	234,368.20	38,092.12	29,294.17	16,433.27
		Dec. 31, 1944	6,317.39	233,193.46	36,917.38	35,071.51	14,791.42
		Dec. 31, 1945 [3]	40,241.19	199,269.66	2,993.58	2,843.90	1,203.55
Omaha:							
General Tobacco and Candy Co., 1036 L St., Lincoln, Nebr.	Wholesale tobacco, candy, and sundries.	Oct. 31, 1943 [1]	988.92	11,844.06	2,336.08	2,102.47	630.74
		Oct. 31, 1944 [1]	1,356.24	11,476.74	1,968.76	1,853.92	531.57
Pittsburgh:							
Glenshaw Glass Co., Inc., Glenshaw, Pa.	Manufacturer of glass containers.	Sept. 30, 1942 [3]	139,866.35	89,931.07	45,383.65	27,942.85	9,706.57
		Sept. 30, 1944 [3]	159,234.43	70,562.99	26,015.57	24,387.82	10,406.22
		Sept. 30, 1945 [3]	159,234.43	70,562.99	26,015.57	24,714.80	10,406.23
St. Louis:							
Huttig Sash & Door Co., 1206 South Vandeventer Ave., St. Louis, Mo.	Manufacturers and jobbers of sash, doors, etc.	Dec. 31, 1941 [3]	193,214.97	168,460.48	2,332.49	5,456.48	1,691.50
San Francisco:							
Pacific Grape Products Co., 320 Grand St., Modesto, Calif.	Canning	Dec. 31, 1941 [3]	37,459.72	68,940.28	30,940.28	42,978.08	13,323.20
		Dec. 31, 1942 [3]	46,824.65	59,575.35	21,575.35	19,417.82	8,630.14
		Dec. 31, 1943 [3]	46,824.65	59,575.35	21,575.35	38,835.63	17,260.28
		Dec. 31, 1944 [2]	46,824.65	59,575.35	21,575.35	15,701.79	8,630.14

[1] Allowance in accordance with decision of Tax Court of the United States based on agreed settlement of parties. No previous allowance by the Commissioner.

[2] Allowance made during fiscal year ended June 30, 1957, represents addition to relief previously allowed and published.

[3] Allowance in accordance with decision of the Tax Court of the United States after hearig on the merits. No previous allowance by the Commissioner.

[F. R. Doc. 57-7172; Filed, Sept. 5, 1957; 8:45 a. m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Document 162]

ARIZONA

SMALL TRACT CLASSIFICATION NO. 16; AMENDMENT

AUGUST 26, 1957.

Effective on date of this publication, paragraph 1 of Federal Register Document 49-5207 appearing in the issue for June 29, 1949, is hereby amended to read as follows:

1. Pursuant to the authority delegated to me by the Director, Bureau of Land Management by Order No. 319 dated July 19, 1948 (43 CFR 50.451 (b) (3), 13 F. R. 4278), I hereby classify under the Small Tract Act of June 1, 1938 (52 Stat. 609), as amended July 14, 1945 (59 Stat. 467, 43 U. S. C. 682a), as hereinafter indicated, the following described land in the Phoenix, Arizona, land district embracing 320 acres:

ARIZONA SMALL TRACT CLASSIFICATION NO. 16

For lease and sale for home and cabin sites only:

T. 4 N., R. 2 E., G. & S. R. B. & M., Arizona, Sec. 33, NW¼.
T. 3 N., R. 2 E., G. & S. R. B. & M., Arizona, Sec. 3, SE¼.

except for the W½SE¼NW¼NW¼ of Sec. 33 which is classified for recreation only.

E. I. ROWLAND,
State Supervisor.

[F. R. Doc. 57-7291; Filed, Sept. 5, 1957; 8:46 a. m.]

CALIFORNIA

NOTICE OF PROPOSED WITHDRAWAL AND RESERVATION OF LANDS

AUGUST 27, 1957.

The U. S. Department of Agriculture, has filed an application, Serial No. Sacramento 047050, for the withdrawal of the lands described below, from location and entry under the general mining laws, subject to existing valid claims.

The applicant desires the land for use as roadside zone, administrative sites, campground areas or for other public purposes as set forth specifically with regard to each area described.

For a period of 30 days from the date of publication of this notice, persons having cause may present their objections in writing to the undersigned official of the Bureau of Land Management, Department of the Interior, California Fruit Building, 8th Floor, 4th and J Streets, Sacramento 14, California.

If circumstances warrant it, a public hearing will be held at a convenient time and place, which will be announced.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

The lands involved in the application are:

MOUNT DIABLO MERIDIAN, CALIFORNIA

MENDOCINO PASS ROAD, FOREST HIGHWAY 7 (3), ROADSIDE ZONE

A strip of land 200 feet on each side of the center line of the pass road through the following legal subdivisions:

T. 21 N., R. 7 W.,
Sec. 18, SE¼SE¼;
Sec. 20, N½N½;
Sec. 21, NW¼NW¼;
Sec. 22, N½NE¼, NE¼NW¼;
Sec. 23, N½;
Sec. 24, SW¼, NW¼SE¼.
T. 21 N., R. 8 W.,
Sec. 6, SW¼NE¼;
Sec. 13, N½NE¼, SE¼NE¼, SW¼SE¼;
Sec. 24, NE¼, SW¼SW¼;
Sec. 26, NE¼NE¼;
Sec. 30, NE¼SE¼.
T. 22 N., R. 8 W.,
Sec. 30, Lot 4, SE¼SW¼;
Sec. 31, E½W½.
T. 22 N., R. 9 W.,
Sec. 17, Lots 1 and 2, E½NW¼, NE¼SW¼, W½SE¼;
Sec. 20, NE¼NE¼;
Sec. 21, S½NE¼, NW¼;
Sec. 22, N½NW¼, SW¼NW¼, W½SE¼;
Sec. 26, S½N½;
Sec. 27, NE¼.
T. 22 N., R. 10 W.,
Sec. 1, SW¼SW¼;
Sec. 2, Lots 1 and 2, S½NE¼, NE¼SE¼;
Sec. 12, NW¼, SE¼;
Sec. 13, NE¼NE¼.
T. 23 N., R. 10 W.,
Sec. 28, S½NE¼, SW¼NW¼;
Sec. 29, SE¼SW¼, NE¼SE¼, E½E½NW¼SE¼, SW¼SE¼;
Sec. 31, Lot 2, S½NE¼, E½NE¼NW¼;
Sec. 32, NW¼.
T. 23 N., R. 11 W.,
Sec. 27, SW¼NW¼, NW¼SE¼;
Sec. 36, NE¼.

Campground Areas

Old Mill:
T. 17 N., R. 7 W.,
Sec. 21, SE¼SW¼.
Red Bridge:
T. 18 N., R. 7 W.,
Sec. 33, N½NW¼.

Mud Flat:
T. 23 N., R. 7 W.,
Sec. 28, N½NW¼NW¼.
Whitlock:
T. 24 N., R. 7 W.,
Sec. 19, NE¼SE¼.
Cedar:
T. 16 N., R. 8 W.,
Sec. 1, NE¼SE¼.
Lower Nye:
T. 18 N., R. 8 W.,
Sec. 6, NE¼SW¼.
Board Tree:
T. 21 N., R. 9 W.,
Sec. 26, E½NE¼.
Telephone Camp:
T. 22 N., R. 9 W.,
Sec. 21, SE¼NW¼.
Plaskett:
T. 22 N., R. 9 W.,
Sec. 26, W½SE¼, SE¼SE¼.
Pogie Point:
T. 18 N., R. 10 W.,
Sec. 3, NW¼SE¼.
Seven Troughs:
T. 22 N., R. 10 W.,
Sec. 11, S½NE¼NE¼, N½SE¼NE¼.
Wells Cabin:
T. 23 N., R. 10 W.,
Sec. 22, NE¼NE¼.
Leechlake:
T. 24 N., R. 11 W.,
Sec. 21, SE¼SE¼.
Asa Bean:
T. 25 N., R. 11 W.,
Sec. 32, Lot 3.

Administrative Sites

Pacific Point:
T. 16 N., R. 7 W.,
Sec. 25, NW¼NW¼.
Mill Creek:
T. 17 N., R. 7 W.,
Sec. 4, W½NW¼SW¼.
Black Diamond:
T. 18 N., R. 7 W.,
Sec. 15, SE¼SE¼.
Valley View:
T. 22 N., R. 7 W.,
Sec. 7, E½SE¼.
Red Mountain:
T. 22 N., R. 7 W.,
Sec. 23, SE¼SE¼.
Patton Mill:
T. 24 N., R. 7 W.,
Sec. 29, SE¼SW¼NW¼, SW¼SE¼NW¼, NE¼NW¼SW¼, N½NE¼SW¼, SE¼NE¼SW¼.
Franklin Point:
T. 25 N., R. 7 W.,
Sec. 6, SE¼SE¼.
Pinnacle Rock:
T. 15 N., R. 8 W.,
Sec. 17, SE¼.
Goat Mountain:
T. 16 N., R. 8 W.,
Sec. 2, SE¼SE¼.
Potato Hill:
T. 17 N., R. 8 W.,
Sec. 6, NW¼SE¼.
Letts Valley:
T. 17 N., R. 8 W.,
Sec. 24, SW¼SE¼.
Signal Peak:
T. 18 N., R. 8 W.,
Sec. 27, SW¼SW¼NW¼, NW¼NW¼SW¼;
Sec. 28, E½NE¼, N½NE¼SE¼, N½S½NE¼SE¼.
Sheetiron:
T. 19 N., R. 8 W.,
Sec. 22, NE¼, SW¼NW¼, E½SW¼NW¼, E½NW¼SW¼, NE¼SW¼, NW¼SE¼;
Sec. 23, NW¼NW¼NW¼.
Long Point:
T. 21 N., R. 8 W.,
Sec. 12, SW¼NE¼.
Alder Springs:
T. 21 N., R. 8 W.,
Sec. 25, SW¼NW¼, NW¼SW¼;
Sec. 26, E½NE¼, NE¼SE¼.
Log Spring:
T. 23 N., R. 8 W.,
Sec. 29, SE¼NW¼, NE¼SW¼.
Ball Mountain:
T. 24 N., R. 8 W.,
Sec. 17, SE¼SW¼.
High Glade:
T. 16 N., R. 9 W.,
Sec. 25, SE¼NW¼.
Plaskett:
T. 22 N., R. 9 W.,
Sec. 26, E½NE¼, SE¼NW¼.
Elk Mountain:
T. 16 N., R. 10 W.,
Sec. 1, Lot 1.
Hunter Point:
T. 16 N., R. 10 W.,
Sec. 27, SE¼NW¼SE¼.
Garrett Mountain:
T. 17 N., R. 10 W.,
Sec. 17, SE¼SE¼SW¼, W½W½SE¼;
Sec. 20, NE¼NE¼NW¼.
Soda Creek:
T. 18 N., R. 10 W.,
Sec. 10, E½SW¼SW¼.
Pine Mountain:
T. 18 N., R. 10 W.,
Sec. 32, Lot 4.
Hull Mountain:
T. 19 N., R. 10 W.,
Sec. 11, NW¼NE¼.
Gravelly Valley (Airport):
T. 19 N., R. 10 W.,
Sec. 34, SW¼.
Low Gap:
T. 22 N., R. 10 W.,
Sec. 2, Lot 3.
Anthony Peak:
T. 23 N., R. 10 W.,
Sec. 15, S½NW¼SW¼, N½SW¼SW¼.
Tantrum:
T. 24 N., R. 10 W.,
Sec. 12, S½N½SW¼, S½SW¼.
Beaver Glade:
T. 24 N., R. 10 W.,
Sec. 17, N½NW¼SE¼.
Osborne:
T. 24 N., R. 10 W.,
Sec. 29, W½SW¼, SE¼SW¼;
Sec. 30, SE¼.
Hammerhorn:
T. 25 N., R. 11 W.,
Sec. 22, E½SE¼;
Sec. 27, N½NE¼.
Frying Pan:
T. 26 N., R. 10 W.,
Sec. 22, SE¼SW¼;
Sec. 27, N½N½NE¼NW¼.
Big Signal:
T. 19 N., R. 11 W.,
Sec. 8, SE¼NE¼.
John Day:
T. 19 N., R. 11 W.,
Sec. 15, SW¼SW¼.
Montague:
T. 23 N., R. 11 W.,
Sec. 11, S½SE¼SE¼;
Sec. 12, SW¼SW¼SW¼;
Sec. 13, W½NW¼NW¼;
Sec. 14, NE¼NE¼, SW¼NE¼, NW¼SE¼NE¼.
Indian Dick:
T. 25 N., R. 11 W.,
Sec. 22, S½ of Lots 9 and 10, Lots 15 and 16.
Sulphur Camp:
T. 26 N., R. 11 W.,
Sec. 16, S½NW¼SW¼, N½SW¼SW¼.

Within the area described are 4,173.35 acres of public land in the Mendocino National Forest.

R. R. BEST,
State Supervisor.

[F. R. Doc. 57-7292; Filed, Sept. 5, 1957; 8:46 a. m.]

CALIFORNIA

NOTICE OF PROPOSED WITHDRAWAL AND RESERVATION OF LANDS

AUGUST 29, 1957.

The Forest Service, United States Department of Agriculture, has filed an application, Serial No. Sacramento 047402 for the withdrawal from location and entry under the general mining laws, subject to existing valid claims, of the lands described below.

The applicant desires the land for administrative sites, public service sites, recreation areas, or for other public purposes as set forth specifically with regard to each area or description.

For a period of 30 days from the date of publication of this notice, persons having cause may present their objections in writing to the undersigned official of the Bureau of Land Management, Department of the Interior, California Fruit Building, Room 801 4th and J Streets, Sacramento 14, California.

If circumstances warrant it, a public hearing will be held at a convenient time and place, which will be announced.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

The lands involved in the application are:

MOUNT DIABLO MERIDIAN, CALIFORNIA

FOLSOM LOOKOUT ADMINISTRATIVE SITE

T. 7 N., R. 15 E.,
Sec. 29, N½SW¼NE¼, SE¼NE¼NW¼, N½SE¼NW¼.
Sand Flat Recreation Area:
T. 6 N., R. 17 E.,
Sec. 2, N½NE¼NW¼, W½W½;
Sec. 3, NE¼, S½N½NW¼, S½NW¼, SW¼.
T. 7 N., R. 17 E.,
Sec. 34, SE¼SE¼SE¼;
Sec. 35, S½SW¼.
Cherry Reservoir Recreation Area:
T. 2 N., R. 19 E.,
Sec. 20, NW¼NE¼NE¼, N½NW¼NE¼, SW¼NW¼NE¼, NE¼SW¼.
Arnot Creek Recreation Area:
T. 7 N., R. 20 E.,
Sec. 32, S½NE¼, SE¼NW¼, E½SW¼, N½SW¼;
Sec. 33, S½SW¼NW¼, N½NW¼SW¼.
Falls Organization Camp Area:
T. 1 S., R. 18 E.,
Sec. 22, S½SE¼NE¼, N½NE¼SE¼.

The area described totals 1,200 acres of public land in Stanislaus National Forest.

R. R. BEST,
State Supervisor.

[F. R. Doc. 57-7293; Filed, Sept. 5, 1957; 8:47 a. m.]

DEPARTMENT OF AGRICULTURE

Office of the Secretary

DELAWARE AND MARYLAND

DESIGNATION OF AREAS FOR PRODUCTION EMERGENCY LOANS

For the purpose of making production emergency loans pursuant to section 2 (a) of Public Law 38, 81st Congress (12 U. S. C. 1148a-2 (a)), as amended, it has been determined that in the State of

Delaware and in the following counties in the State of Maryland a production disaster has caused a need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

MARYLAND

Allegany.	Howard.
Anne Arundel.	Kent.
Baltimore.	Montgomery.
Calvert.	Prince Georges.
Caroline.	Queen Annes.
Carroll.	St. Marys.
Cecil.	Somerset.
Charles.	Talbot.
Dorchester.	Washington.
Frederick.	Wicomico.
Harford.	Worcester.

Pursuant to the authority set forth above, production emergency loans will not be made in the above-named State of Delaware and counties of Maryland after June 30, 1958, except to applicants who previously received such assistance and who can qualify under established policies and procedures.

Done at Washington, D. C., this 30th day of August 1957.

[SEAL] MARVIN L. MCLAIN,
Acting Secretary.

[F. R. Doc. 57-7288; Filed, Sept. 5, 1957; 8:45 a. m.]

ATOMIC ENERGY COMMISSION

[Docket No. 50-69]

GENERAL ELECTRIC CO.

NOTICE OF PROPOSED ISSUANCE OF CONSTRUCTION PERMIT

Please take notice that the Atomic Energy Commission proposes to issue a construction permit to General Electric Company substantially in the form set forth in Annex "A" below unless within fifteen (15) days after filing of this notice with the Federal Register Division a request for a formal hearing is filed with the Commission in the manner prescribed by § 2.102 (b) of the Commission's rules of practice (10 CFR Part 2). There is attached as Annex "B" a memorandum submitted by the Division of Civilian Application which summarizes the principal factors considered in reviewing the application for license. For further details see the application for a license at the Commission's Public Document Room, 1717 H Street, NW., Washington, D. C.

Notice is also hereby given that if the Commission issues the construction permit the Commission may without further prior public notice convert the construction permit to a Class 104 license authorizing operation of the reactor at the proposed site if it is found that the reactor has been constructed in accordance with the specifications contained in the terms and conditions of the construction permit, and in conformity with the provisions of the act and of the rules and regulations of the Commission, and in the absence of any good cause being shown to the Commission that the granting of such license would not be in accordance with the provisions of the act.

Dated at Washington, D. C. this 30th day of August 1957.

For the Atomic Energy Commission.

H. L. PRICE,
Director,
Division of Civilian Application.

ANNEX "A"

CONSTRUCTION PERMIT

No. CPCX-

General Electric Company (hereinafter "General Electric") on June 14, 1957, filed its application for Class 104 license, defined in § 50.21 of Part 50, "Licensing of Production and Utilization Facilities", Title 10, Chapter I, CFR, to construct and operate a Nuclear Checkout Test (Spanish Swimming Pool Reactor) (hereinafter "the facility").

The Atomic Energy Commission (hereinafter "the Commission") has found that:

A. The facility will be a utilization facility as defined in the Commission's regulations contained in Title 10, Chapter I, CFR, Part 50, "Licensing of Production and Utilization Facilities."

B. General Electric proposes to utilize the facility in the conduct of research and development activities of the types specified in Section 31 of the Atomic Energy Act of 1954.

C. General Electric is financially qualified to construct and operate the facility in accordance with the regulations contained in Title 10, Chapter I, CFR; to assume financial responsibility for the payment of Commission charges for special nuclear material and to undertake and carry out the proposed use of such material for a reasonable period of time.

D. General Electric is technically qualified to design and construct the facility.

E. General Electric has submitted sufficient information to provide reasonable assurance that the facility can be constructed and operated at the proposed location without undue risk to the health and safety of the public.

F. The issuance of a construction permit to General Electric will not be inimical to the common defense and security or to the health and safety of the public.

Pursuant to the Atomic Energy Act of 1954, and Title 10, CFR, Chapter I, Part 50, "Licensing of Production and Utilization Facilities", the Atomic Energy Commission hereby issues a construction permit to General Electric to construct the facility as a utilization facility. This permit shall be deemed to contain and be subject to the conditions specified in §§ 50.54 and 50.55 of said regulations; is subject to all applicable provisions of the Atomic Energy Act of 1954 and rules, regulations and orders of the Atomic Energy Commission now or hereafter in effect; and is subject to any additional conditions specified or incorporated below:

A. The earliest date for the completion of the facility is September 20, 1957. The latest date for completion of the facility is November 15, 1957. The term "completion date" as used herein means the date on which construction of the facility is completed except for the introduction of the fuel material.

B. The site proposed for the location of the facility is the Vallecitos Atomic Laboratory located in Alameda County, California.

C. The facility authorized for construction is a pool-type facility utilizing fuel elements containing 20 percent enriched uranium in light water with graphite as reflector and designed to operate at a power level of up to 50 watts, as described in the application.

Upon completion (as defined in Paragraph "A" above) of the construction of the facility in accordance with the terms and conditions of this permit, upon the filing of any additional information needed to bring the original application up to date, and upon finding that the facility authorized has been constructed in conformity with the application as amended and in conformity with the provisions of the act and of the rules and regulations of the Commission, and in the absence of any good cause being shown to the Commission why the granting of a license would not be in accordance with the provisions of the act, the Commission will issue a Class 104 license to General Electric pursuant to section 104c of the act, which license shall expire eight (8) months after the date of this construction permit.

Date of Issuance:

For the Atomic Energy Commission.

———,
Director,
Division of Civilian Application.

ANNEX "B"

MEMORANDUM

Introduction. The General Electric Company filed on May 22, 1957, an application for a facility export license for a 3 Mw swimming pool reactor. On July 29, 1957, Export License XR-10 was issued to General Electric Company for the export of the reactor to the Junta de Energia Nuclear, Serrano, 121 Madrid, Spain, a Department of the Spanish Ministry of Industry.

On November 23, 1956, the Junta de Energia Nuclear and General Electric Company submitted to the AEC a report entitled "Spanish Swimming Pool Reactor Safeguards Report." The Commission advised Spain with regard to the hazards of reactors of this type and as a result, an addendum to the safeguards report was submitted on February 8, 1957.

The General Electric Company submitted on June 14, 1957, a license application for a construction permit and facility license for a nuclear checkout test on the Spanish swimming pool reactor. The license application included a second addendum to the Spanish Swimming Pool Reactor Safeguard Report dated May 8, 1957. This document describes the experiments to be conducted and the hazards involved in the proposed nuclear checkout test.

Description of the facility. The Spanish research reactor is to be of the swimming pool type, operated at a maximum power of 3 Mw. Each fuel element will contain 10 plates, each 0.099 inch in overall thickness. Uranium-aluminum alloy will be clad with 0.015 inch of aluminum. The core will also contain graphite reflector elements, clad in aluminum, to form a reflector 3 inches thick and 30 inches high surrounding the fuel elements. The control elements in the reactor will comprise four 10.25-inch wide vertical blades and one 2.5-inch square vertical servo control rod. It is proposed to operate two control blades in gang, but the speed of withdrawal will be limited to that corresponding to 0.02 percent reactivity insertion per second. The control rods will be attached to the rod drives by means of electromagnets which are deactivated in the event of a scram, resulting in the rods falling by gravity into the core.

The General Electric Company proposes to install the actual reactor core components of the Spanish swimming pool reactor at the Company's Vallecitos Laboratory. Minor and inconsequential modifications will be made in order that the reactor components can be accommodated in the laboratory pool. The purpose of the nuclear checkout test is to determine low power characteristics at a power not to exceed 50 watts. Various characteristics of the reactor will be determined, including the critical mass, mass required for 4.5 percent excess reactivity, reactivity values of control blades and servo

control element, void and temperature coefficients of reactivity, reactivity of simulated beam ports and fuel position reactivity evaluation. In addition to the 50-watt limitation on power, the excess reactivity will be limited to 4.5 percent by poison material firmly attached to the fuel elements. The control instrumentation of the Spanish swimming pool reactor will be employed and, in addition, other instruments will be provided for safety and control at low power. The core components will be supported on I-beams resting on the bottom of a pool filled to a depth of 11½ feet of water. For convenience in determining the temperature coefficient of reactivity, the core will be surrounded by a 4-foot square, open-topped plywood box. This plywood box will permit the water content of the entire pit to be used for shielding, while minimizing test time required to heat water for temperature coefficient determination. Cooling water is removed from and returned to the plywood box by means of a recirculating pump so that both water purity and temperature will be controlled. A 2-3 curie Po-Be neutron source will be used to start the reactor. The only experimental facilities to be used are radiation baskets located in the pool outside of the graphite reflector elements. Provision will be made for simulating beam ports.

The applicant has calculated that the temperature coefficient will be -2.1×10^{-4} fraction reactivity per °C., and that the void coefficient will be -2.9×10^{-3} fraction reactivity per % void.

The reactor operating organization and operating procedure described in the safeguard report are judged to be appropriate for carrying out an experimental program of this type.

Hazards evaluation. Various possible accidents are described by the applicant, including power failure, fuel element failure, binding of control blades, startup accident and refueling accident. These accidents and those related to environmental factors, such as fire and flood, apparently introduce no unacceptable nuclear risk since any such accidents would result in reactivity insertions of less than 0.5 percent. The applicant has stated that the core will be loaded, that operating conditions will be restricted and that experiments will be limited, to such extent that not more than 0.5 percent reactivity can be introduced rapidly in any credible accident. For such insertion, the temperature of the water would rise, the negative temperature coefficient of the reactor would offset the inserted reactivity, no violence would be done and no release of fission products would occur.

We believe it to be reasonable, on the basis of described arrangements and procedures to be followed, that large reactivity insertions will not occur, and that, if the temperature and void coefficients are negative as calculated, inherent stability will thereby be provided and no damage will result. It is not clear how confidently the calculations can be trusted in their indication of negative values for these coefficients, since the core design is somewhat different from those on which measurements have been made. We believe, however, that initial experiments can be performed safely by the procedure outlined, and that accurate measurements of these parameters in this core can be made. If positive values should be found, contrary to expectations, more extended operations should should not be attempted without further study and evaluation.

Conclusion. Based upon our review of the equipment design, operating organization and operating procedures, and based on our evaluation of the hazard analysis made by the applicant, we concluded that there is reasonable assurance that the nuclear checkout test described by the applicant can be conducted at the Vallecitos Atomic Laboratory without undue hazard to the health and safety of the public.

Dated: August 30, 1957.

For the Division of Civilian Application.

H. L. PRICE,
Director.

[F. R. Doc. 57-7335; Filed, Sept. 4, 1957; 12:30 p. m.]

DEPARTMENT OF COMMERCE

Federal Maritime Board

FRONTIER FREIGHT FORWARDERS, INC. AND MAHER & CO.

NOTICE OF AGREEMENT FILED FOR APPROVAL

Notice is hereby given that the following described agreement has been filed with the Board for approval pursuant to section 15, Shipping Act, 1916 (39 Stat. 733; 46 U. S. C. 814):

Agreement No. 8234 between Frontier Freight Forwarders, Inc., Miami, Florida and Maher & Co., New Orleans, Louisiana, is a cooperative working arrangement between the parties under which they will perform freight forwarding services for each other.

Interested parties may inspect this agreement and obtain copies thereof at the Regulation Office, Federal Maritime Board, Washington, D. C., and may submit, within 20 days after publication of this notice in the FEDERAL REGISTER, written statements with reference to the agreement, and their position as to approval, disapproval, or modification, together with request for hearing should such hearing be desired.

Dated: September 3, 1957.

By order of the Federal Maritime Board.

JAMES L. PIMPER,
Secretary.

[F. R. Doc. 57-7320; Filed, Sept. 5, 1957; 8:51 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 12068; FCC 57M-807]

FLORENCE BROADCASTING CO., INC.

ORDER CONTINUING HEARING

In re application of Florence Broadcasting Company, Inc., Brownsville, Tennessee, Docket No. 12068, File No. BP-10850; for construction permit.

The Hearing Examiner having under consideration a petition for continuance filed by the Chief of the Commission's Broadcast Bureau on August 21, 1957;

It appearing that the date for the exchange of the applicant's affirmative case and the date for hearing should be continued indefinitely, pending the processing and designation of the application of Triangle Broadcasting Company (File No. BP-11192) for hearing consolidated with the application of Florence Broadcasting Company, Inc., in view of the fact that the Triangle application has been pending since March 25, 1957 and is mutually exclusive with the Florence application;

It further appearing that the time has expired within which an opposition may be filed to the above petition, and that no opposition has been received;

It is ordered, This 28th day of August 1957, that the petition is granted, and the date for the exchange of the applicant's affirmative case and the date for hearing, presently scheduled for September 3 and 23, 1957, respectively, are continued indefinitely, pending the processing and designation of the application of Triangle Broadcasting Company for hearing consolidated with the application of Florence Broadcasting Company, Inc.

Released: August 29, 1957.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] EVELYN F. EPPLEY,
Acting Secretary.

[F. R. Doc. 57-7329; Filed, Sept. 5, 1957; 8:52 a. m.]

[Docket No. 12117; FCC 57M-809]

BEST CABS, INC.

NOTICE OF PREHEARING CONFERENCE

In the matter of application of Best Cabs, Inc., 203 West 9th Street, Wichita, Kansas, Docket No. 12117; for radio station authorization in the Taxicab Radio Service.

On the oral request of counsel for the Commission's Safety and Special Radio Services Bureau, a prehearing conference is scheduled for Friday, September 13, 1957, at 10:00 a. m., in the offices of the Commission, Washington, D. C.

Dated: August 29, 1957.

Released: August 30, 1957.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] EVELYN F. EPPLEY,
Acting Secretary.

[F. R. Doc. 57-7330; Filed, Sept. 5, 1957; 8:52 a. m.]

[Docket Nos. 12124, 12125; FCC 57M-808]

GEOFFREY A. LAPPING AND PHOENIX BROADCASTING CO.

ORDER SCHEDULING PREHEARING CONFERENCE

In re applications of Geoffrey A. Lapping, Phoenix, Arizona, Docket No. 12124, File No. BP-10963; Harold Lampel and Dawkins Espy, d/b as Phoenix Broadcasting Company, Phoenix, Arizona, Docket No. 12125, File No. BP-10964; for construction permits.

It is ordered, This 29th day of August 1957, that all parties, or their counsel, in the above-entitled proceeding are directed to appear for a pre-hearing conference pursuant to the provisions of § 1.813 of the Commission's rules, at the offices of the Commission in Washington,

D. C., at 10 o'clock a. m., September 24, 1957.

Released: August 30, 1957.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] EVELYN F. EPPLEY,
Acting Secretary.

[F. R. Doc. 57-7331; Filed, Sept. 5, 1957; 8:52 a. m.]

FEDERAL POWER COMMISSION

[Docket No. G-13187]

STANDARD OIL CO. OF TEXAS

ORDER FOR HEARING AND SUSPENDING PROPOSED CHANGE IN RATES

AUGUST 30, 1957.

Standard Oil Company of Texas (Standard Oil), on August 1, 1957,[1] tendered for filing a proposed change in its presently effective rate schedule for sales of natural gas subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate and charge, is contained in the following designated filing:

Description: Notice of Change, undated.
Purchaser: El Paso Natural Gas Company.
Rate schedule designation: Supplement No. 5 to Standard Oil's FPC Gas Rate Schedule No. 22.
Effective date:[2] September 1, 1957.

In support of the proposed favored-nations rate increase,[3] Standard Oil quotes the pertinent pricing provision of its rate schedule.

The increased rate and charge so proposed has not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed change, and that Supplement No. 5 to Standard Oil's FPC Gas Rate Schedule No. 22 be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR, Chapter I), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rate and charge contained in Supplement No. 5 to Standard Oil's FPC Gas Rate Schedule No. 22.

(B) Pending such hearing and decision thereon, said supplement be and it is hereby suspended and the use thereof deferred until February 1, 1958, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(C) Neither the supplement hereby suspended nor the rate schedule sought to be altered thereby shall be changed until this proceeding has been disposed of, or until the period of suspension has expired, unless otherwise ordered by the Commission.

(D) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) of the Commission's rules of practice and procedure (18 CFR 1.8 and 1.37 (f)).

By the Commission.

[SEAL] MICHAEL J. FARRELL,
Acting Secretary.

[F. R. Doc. 57-7296; Filed, Sept. 5, 1957; 8:47 a. m.]

[1] Filing not completed until August 21, 1957.

[2] The stated effective date is the first day after expiration of the required 30 days' notice.

[3] The proposed rate increase has been triggered by the spiral escalation rate increases of 15.05 percent of Phillips Petroleum Company for gas sales in the Permian Basin to El Paso Natural Gas Company, which increases were suspended in Docket No. G-11217, and made effective subject to refund on March 11, 1957.

[Docket No. G-13190]

TEXAS CO.

ORDER FOR HEARING AND SUSPENDING PROPOSED CHANGE IN RATES

AUGUST 30, 1957.

The Texas Company (Texas), on August 6, 1957,[1] tendered for filing a proposed change in its presently effective rate schedule for sales of natural gas subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate and charge, is contained in the following designated filing:

Description: Notice of Change, undated.
Purchaser: El Paso Natural Gas Company.
Rate schedule designation: Supplement No. 5 to Texas' FPC Gas Rate Schedule No. 24.
Effective date:[2] September 6, 1957.

In support of the proposed favored-nations rate increase,[3] Texas states that El Paso Natural Gas Company (El Paso) notified it that Phillips Petroleum Company's (Phillips) rate to El Paso increased 15.05 percent; that Texas is advised that the rates paid Phillips prior to the increase equal the rates currently paid Texas considering variations in delivery conditions; that the contract resulted from arm's-length bargaining; and that the increase is justified on a continuing basis because of increased operating, replacement, drilling and exploration costs.

The increased rate and charge so proposed has not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed change, and that Supplement No. 5 to Texas' FPC Gas Rate Schedule No. 24 be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR, Chapter I), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rate and charge contained in Supplement No. 5 to Texas' FPC Gas Rate Schedule No. 24.

(B) Pending such hearing and decision thereon, said supplement be and it is hereby suspended and the use thereof deferred until February 6, 1958, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(C) Neither the supplement hereby suspended nor the rate schedule sought to be altered thereby shall be changed until this proceeding has been disposed of or until the period of suspension has expired, unless otherwise ordered by the Commission.

(D) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) of the Commission's rules of practice and procedure (18 CFR 1.8 and 1.37 (f)).

By the Commission.

[SEAL] MICHAEL J. FARRELL,
Acting Secretary.

[F. R. Doc. 57-7297; Filed, Sept. 5, 1957; 8:47 a. m.]

[1] Filing reconciled August 15, 1957.

[2] The stated effective date is the first day after expiration of the required 30 days' notice.

[3] The proposed increase has been triggered by the spiral escalation rate increase of 15.05 percent of Phillips for gas sales in the Permian Basin to El Paso, which increases were suspended in Docket No. G-11217, and made effective subject to refund on March 11, 1957.

[Docket No. G-13191]

HUNT OIL CO.

ORDER FOR HEARING AND SUSPENDING PROPOSED CHANGE IN RATES

AUGUST 30, 1957.

Hunt Oil Company (Hunt), on August 5, 1957, tendered for filing a proposed change in its presently effective rate schedule for sales of natural gas subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate and charge, is contained in the following designated filing:

Description: Notice of Change, undated.
Purchaser: El Paso Natural Gas Company.
Rate schedule designation: Supplement No. 3 to Hunt's FPC Gas Rate Schedule No. 31.
Effective date:[1] September 5, 1957.

In support of the proposed favored-nations rate increase,[2] Hunt states that

[1] The stated effective date is the first day after expiration of the required 30 days' notice.

[2] The proposed rate increase has been triggered by the spiral escalation rate increases of 15.05 percent of Phillips Petroleum Company for gas sales in the Permian Basin to El Paso Natural Gas Company, which increases were suspended in Docket No. G-11217, and made effective subject to refund on March 11, 1957.

the change fulfills the contractual obligation and disallowance thereof would deprive it of property without due process of law.

The increased rate and charge so proposed has not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed change, and that Supplement No. 3 to Hunt's FPC Gas Rate Schedule No. 31 be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR, Chapter I), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rate and charge contained in Supplement No. 3 to Hunt's FPC Gas Rate Schedule No. 31.

(B) Pending such hearing and decision thereon, said supplement be and it is hereby suspended and the use thereof deferred until February 5, 1958, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(C) Neither the supplement hereby suspended nor the rate schedule sought to be altered thereby shall be changed until this proceeding has been disposed of, or until the period of suspension has expired, unless otherwise ordered by the Commission.

(D) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) of the Commission's rules of practice and procedure (18 CFR 1.8 and 1.37 (f)).

By the Commission.

[SEAL] MICHAEL J. FARRELL, *Acting Secretary.*

[F. R. Doc. 57-7298; Filed, Sept. 5, 1957; 8:48 a. m.]

[Docket No. G-13178]

SOUTHEASTERN GAS CO.

ORDER FOR HEARING AND SUSPENDING PROPOSED CHANGES IN RATES

AUGUST 30, 1957.

Southeastern Gas Company (Southeastern), on August 1, 1957, tendered for filing proposed changes in its presently effective rate schedule for sales of natural gas subject to the jurisdiction of the Commission. The proposed changes, which constitute increased rates and charges, are contained in the following designated filings:

Description: (1) Arbitrators Award,[1] dated July 26, 1957. (2) Notice of Change, dated July 31, 1957.

Purchaser: United Fuel Gas Company.

Rate schedule designation: (1) Supplement No. 5 to Southeastern's FPC Gas Rate Schedule No. 5. (2) Supplement No. 6 to Southeastern's FPC Gas Rate Schedule No. 5.

Effective date:[2] September 1, 1957.

In support of the proposed increases, Southeastern states that the contract provides that the rate for the five-year period, commencing November 1, 1955, was to be determined by mutual agreement, or, if the parties were unable to agree, then by arbitration, and the arbitrators should base their decision on the reasonable market value of the gas in the area where produced; that the parties were unable to reach an agreement as to the rate for the period and elected to submit the matter to arbitration; and the unanimous award of the arbitrators, rendered July 26, 1957, after extensive hearings, was 26 cents per Mcf. Southeastern also states that the reason for proposing the increase is its dissatisfaction with the abnormally low rate which has been paid for the gas after gathering and compression. Southeastern further states that the difference in revenues from November 1955 to July 1957 at 16 cents and 26 cents per Mcf is about $34,000, and requests that if the increase is suspended that the suspension be for not longer than 30 days so that the rate may go into effect, subject to refund, on September 1, 1957.

The increased rates and charges so proposed have not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed changes, and that Supplement Nos. 5 and 6 to Southeastern's FPC Gas Rate Schedule No. 5 be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR, Chapter I), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rates and charges contained in Supplement Nos. 5 and 6 to Southeastern's FPC Gas Rate Schedule No. 5.

(B) Pending such hearing and decision thereon, said supplements be and they are each hereby suspended and the use thereof deferred until October 1, 1957, and until such further time as they are made effective in the manner prescribed by the Natural Gas Act.

(C) Neither the supplements hereby suspended nor the rate schedule sought to be altered thereby shall be changed until this proceeding has been disposed of, or until the periods of suspension have expired, unless otherwise ordered by the Commission.

(D) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) of the Commission's rules of practice and procedure (18 CFR 1.8 and 1.37 (f)).

By the Commission.

[SEAL] MICHAEL J. FARRELL, *Acting Secretary.*

[F. R. Doc. 57-7299; Filed, Sept. 5, 1957; 8:48 a. m.]

[Docket No. G-13179]

M. B. CHASTAIN ET AL.

ORDER FOR HEARING AND SUSPENDING PROPOSED CHANGE IN RATES

AUGUST 30, 1957.

M. B. Chastain et al. (Chastain), on August 1, 1957, tendered for filing a proposed change in his presently effective rate schedule for sales of natural gas subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate and charge, is contained in the following designated filing:

Description: Notice of Change, dated July 30, 1957.

Purchaser: Texas Gas Transmission Corporation.

Rate schedule designation: Supplement No. 6 to Chastain's FPC Gas Rate Schedule No. 2.

Effective date:[2] September 1, 1957.

In support of the proposed redetermined rate increase, Chastain cites the provision of the contract to the effect that the redetermined rate shall be the average of the two highest rates paid or to be paid by interstate transporters within 50 miles of Chastain's delivery point during the five year period commencing August 1, 1957. Chastain also states that the contract was negotiated in good faith at arm's-length and the increased rate is necessary to provide incentive for exploration and development of additional reserves.

The increased rate and charge so proposed has not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed change, and that Supplement No. 6 to Chastain's FPC Gas Rate Schedule No. 2 be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR, Chapter I), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rate and charge contained in Supplement No.

---

[1] Arbitrators award increased from 16¢ to 26¢ per Mcf.

[2] The stated effective date is the first day after expiration of the required thirty days' notice.

6 to Chastain's FPC Gas Rate Schedule No. 2.

(B) Pending such hearing and decision thereon, said supplement be and it is hereby suspended and the use thereof deferred until February 1, 1958, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(C) Neither the supplement hereby suspended nor the rate schedule sought to be altered thereby shall be changed until this proceeding has been disposed of or until the period of suspension has expired, unless otherwise ordered by the Commission.

(D) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) of the Commission's rules of practice and procedure (18 CFR 1.8 and 1.37 (f)).

By the Commission.

[SEAL] MICHAEL J. FARRELL, *Acting Secretary.*

[F. R. Doc. 57-7300; Filed, Sept. 5, 1957; 8:48 a. m.]

[Docket No. G-13180]

PLACID OIL COMPANY, ET AL.

ORDER FOR HEARING AND SUSPENDING PROPOSED CHANGES IN RATES

AUGUST 30, 1957.

Placid Oil Company et al. (Placid), on August 5, 1957, tendered for filing proposed changes in its presently effective rate schedule for sales of natural gas subject to the jurisdiction of the Commission. The proposed changes, which constitute increased rates and charges, are contained in the following designated filings:

Description: (1) Supplemental Agreement,[1] dated May 29, 1957. (2) Notice of Change, dated July 31, 1957.

Purchaser: United Gas Pipe Line Company.

Rate schedule designation: (1) Supplement No. 1 to Placid's FPC Gas Rate Schedule No. 7. (2) Supplement No. 2 to Placid's FPC Gas Rate Schedule No. 7.

Effective date:[2] September 5, 1957.

In support of the proposed renegotiated rate increases, Placid states that one of the considerations for increasing the rate was the extension of the contract term about 15 years.

The increased rates and charges so proposed have not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed changes, and that Supplement Nos. 1 and 2 to Placid's FPC Gas Rate Schedule No. 7 be suspended and the use thereof deferred as hereinafter ordered.

[1] Renegotiated increase in rate and term of contract.

[2] The stated effective date is the first day after expiration of the required 30 days' notice.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR, Chapter I), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rates and charges contained in Supplement Nos. 1 and 2 to Placid's FPC Gas Rate Schedule No. 7.

(B) Pending such hearing and decision theron, said supplements be and they are each hereby suspended and the use thereof deferred until February 5, 1958, and until such further time as they are made effective in the manner prescribed by the Natural Gas Act.

(C) Neither the supplements hereby suspended nor the rate schedule sought to be altered thereby shall be changed until this proceeding has been disposed of, or until the periods of suspension have expired, unless otherwise ordered by the Commission.

(D) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) of the Commission's rules of practice and procedure (18 CFR 1.8 and 1.37 (f)).

By the Commission.

[SEAL] MICHAEL J. FARRELL, *Acting Secretary.*

[F. R. Doc. 57-7301; Filed, Sept. 5, 1957; 8:48 a. m.]

[Docket No. G-13181]

KERR-MCGEE OIL INDUSTRIES, INC.

ORDER FOR HEARING AND SUSPENDING PROPOSED CHANGE IN RATES

AUGUST 30, 1957.

Kerr-McGee Oil Industries, Inc. (Kerr-McGee), on August 19, 1957,[1] tendered for filing a proposed change in its presently effective rate schedule for sales of natural gas subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate and charge, is contained in the following designated filing:

Description: Notice of Change, dated August 17, 1957.

Purchaser: Phillips Petroleum Company.

Rate schedule designation: Supplement No. 9 to Kerr-McGee's FPC Gas Rate Schedule No. 11.

Effective date: [2] August 31, 1957.

In support of the proposed spiral escalation increase,[2] Kerr-McGee states the change is in accordance with the provision of the contract, but at the time of Kerr-McGee's filing of the original rate schedule it was not aware of the increase due under the contract provision, and, further, the exact amount of said increase could not be determined until the Commission issued its final order on July 20, 1956, in Docket No. G-2018, determining El Paso Natural Gas Company's (El Paso) rates. Kerr-McGee further states that the buyer, Phillips Petroleum Company (Phillips), has paid the increased rate for the period prior to June 7, 1954, and stands ready to pay the additional amount from June 7, 1954, to date.

[1] Original filing made on July 31, 1957. Revised filing requests withdrawal.

[2] The proposed increase results from a spiral escalation clause providing that whenever El Paso, the purchaser of the subject gas from Phillips (after processing), shall be granted a general increase in rates, Kerr-McGee's rate to Phillips shall be increased in proportion to El Paso's increase.

The increased rate and charge so proposed has not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed change, and that Supplement No. 9 to Kerr-McGee's FPC Gas Rate Schedule No. 11 be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR, Chapter I), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rate and charge contained in Supplement No. 9 to Kerr-McGee's FPC Gas Rate Schedule No. 11.

(B) Pending such hearing and decision thereon, said supplement be and it is hereby suspended and the use thereof deferred until September 1, 1957, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(C) Neither the supplement hereby suspended nor the rate schedule sought to be altered thereby shall be changed until this proceeding has been disposed of or until the period of suspension has expired, unless otherwise ordered by the Commission.

(D) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) of the Commission's rules of practice and procedure (18 CFR 1.8 and 1.37 (f)).

By the Commission.

[SEAL] MICHAEL J. FARRELL, *Acting Secretary.*

[F. R. Doc. 57-7302; Filed, Sept. 5, 1957; 8:48 a. m.]

[Docket No. G-13158]

ESTATE OF LYDA BUNKER HUNT

ORDER FOR HEARING AND SUSPENDING PROPOSED CHANGE IN RATES

AUGUST 30, 1957.

On August 5, 1957, the Estate of Lyda Bunker Hunt (Hunt) tendered for filing a proposed change in the presently effective rate schedule for sales of natural gas subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate and

charge, is contained in the following designated filing:

Description: Notice of Change, undated.
Purchaser: El Paso Natural Gas Company.
Rate schedule designation: Supplement No. 3 to Hunt's FPC Gas Rate Schedule No. 5.
Effective date: [1] September 5, 1957.

In support of the proposed favored-nations rate increase,[2] Hunt states that the change fulfills the contractual obligation, and disallowance would be a deprivation of property without due process of law.

The increased rate and charge so proposed has not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed change, and that the above-designated supplement be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR, Chapter I), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rates and charges contained in Supplement No. 3 to Hunt's FPC Gas Rate Schedule No. 5.

(B) Pending such hearing and decision thereon, said supplement be and it is hereby suspended and the use thereof deferred until February 5, 1958, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(C) Neither the supplement hereby suspended, nor the rate schedule sought to be altered thereby, shall be changed until this proceeding has been disposed of or until the period of suspension has expired, unless otherwise ordered by the Commission.

(D) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) of the Commission's rules of practice and procedure (18 CFR 1.8 and 1.37 (f)).

By the Commission.

[SEAL] MICHAEL J. FARRELL, *Acting Secretary.*

[F. R. Doc. 57-7303; Filed, Sept. 5, 1957; 8:48 a. m.]

[1] The stated effective date is the first day after expiration of the required thirty days' notice.

[2] The proposed increase has been triggered by the spiral escalation rate increase of 15.05 percent of Phillips Petroleum Company for gas sales in the Permian Basin to El Paso Natural Gas Company, which increase was suspended in Docket No. G-11217, and made effective subject to refund on March 11, 1957.

[Docket No. G-13159]

SECURE TRUSTS

ORDER FOR HEARING AND SUSPENDING PROPOSED CHANGE IN RATES

AUGUST 30, 1957.

On August 5, 1957, Secure Trusts tendered for filing a proposed change in its presently effective rate schedule for sales of natural gas subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate and charge, is contained in the following designated filing:

Description: Notice of Change, undated.
Purchaser: El Paso Natural Gas Company.
Rate schedule designation: Supplement No. 3 to Secure Trusts' FPC Gas Rate Schedule No. 4.
Effective date: [1] September 5, 1957.

In support of the proposed favored-nations rate increase,[2] Secure Trusts states that the change fulfills the contractual obligation, and disallowance would be a deprivation of property without due process of law.

The increased rate and charge so proposed has not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed change, and that the above-designated supplement be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR, Chapter I), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rates and charges contained in Supplement No. 3 to Secure Trusts' FPC Gas Rate Schedule No. 4.

(B) Pending such hearing and decision thereon, said supplement be and it is hereby suspended and the use thereof deferred until February 5, 1958, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(C) Neither the supplement hereby suspended, nor the rate schedule sought to be altered thereby, shall be changed until this proceeding has been disposed of or until the period of suspension has expired, unless otherwise ordered by the Commission.

(D) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) of the Commission's rules of practice and procedure (18 CFR 1.8 and 1.37 (f)).

By the Commission.

[SEAL] MICHAEL J. FARRELL, *Acting Secretary.*

[F. R. Doc. 57-7304; Filed, Sept. 5, 1957; 8:49 a. m.]

[Docket No. G-13160]

SUNRAY MID-CONTINENT OIL CO.

ORDER FOR HEARING AND SUSPENDING PROPOSED CHANGES IN RATES

AUGUST 30, 1957.

Sunray Mid-Continent Oil Company (Sunray), on August 12, 1957, submitted for filing proposed changes in its rates schedules presently in effect for sales of natural gas subject to the jurisdiction of the Commission. The proposed changes, which constitute increased rates and charges, are contained in the following designated filings:

Description: Notices of Change, dated August 8, 1957.
Purchaser: El Paso Natural Gas Company.
Rate schedule designation: Supplement No. 7 to its FPC Gas Rate Schedule No. 81. Supplement No. 2 to its FPC Gas Rate Schedule No. 92. Supplement No. 2 to its FPC Gas Rate Schedule No. 93. Supplement No. 3 to its FPC Gas Rate Schedule No. 94.
Effective date: [1] September 12, 1957.

Sunray's increase in rates is based upon the "favored nation" escalation provisions of its rate schedules. In accordance with those provisions the increase in rate has been "triggered" by the spiral escalation rate increase of Phillips Petroleum Company for sales of gas in the Permian Basin to El Paso, which increased rate was suspended in Docket No. G-11217, and made effective subject to refund, by order issued March 11, 1957.

In support of its increased rates, Sunray states that the contracts, as entities, were entered into at arm's length; that the consideration for the long term sales was the whole price schedules to insure Sunray's receiving the minimum market value of the gas; and that the proposed increased rates are just and reasonable and not greater than the market value of the gas in the field. Sunray, additionally, requests that the Commission waive the statutory notice requirements and permit the proposed increased rates to take effect as of March 11, 1957, the date on which Phillips' increased rates became effective under corporate undertaking.

The increased rates and charges so proposed have not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed changes, and that the above-designated supplements be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR, Chapter I), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rates and charges.

(B) Pending such hearing and decision thereon, said supplements be and they are each hereby suspended and the use thereof deferred until February 12, 1958, and until such further time as they are made effective in the manner prescribed by the Natural Gas Act.

(C) Neither the supplements hereby suspended, nor the rate schedules sought to be altered thereby, shall be changed until this proceeding has been disposed of or until the periods of suspension have expired, unless otherwise ordered by the Commission.

(D) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the Commission's rules of practice and procedure.

By the Commission.

[SEAL] MICHAEL J. FARRELL, *Acting Secretary.*

[F. R. Doc. 57-7305; Filed, Sept. 5, 1957; 8:49 a. m.]

[Docket No. G-13161]

E. B. MCFARLIN AND E. P. KETCHAM

ORDER FOR HEARING AND SUSPENDING PROPOSED CHANGE IN RATES

AUGUST 30, 1957.

E. B. McFarlin and E. P. Ketcham (McFarlin), submitted for filing on August 12, 1957, a proposed change in their presently effective rate schedule for sales of natural gas subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate and charge, is contained in the following designated filing:

Description: Notice of Change, dated August 7, 1957.
Purchaser: El Paso Natural Gas Company.
Rate schedule designation: Supplement No. 7 to their FPC Gas Rate Schedule No. 1.
Effective date: [1] September 12, 1957.

McFarlin's proposed increase in rate is based upon the "favored nation" escalation provisions of their rate schedule. In accordance with those provisions the increase in rate has been "triggered" by the spiral escalation rate increase of Phillips Petroleum Company for sales of gas in the Permian Basin to El Paso, which increased rate was suspended in Docket No. G-11217, and made effective subject to refund, by order issued March 11, 1957.

The increased rate and charge so proposed has not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed change; and that the above-designated supplement be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR, Chapter I), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rate and charge.

(B) Pending such hearing and decision thereon, said supplement be and it is hereby suspended and the use thereof deferred until February 12, 1958, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(C) Neither the supplement hereby suspended, nor the rate schedule sought to be altered thereby, shall be changed until this proceeding has been disposed of or until the period of suspension has expired, unless otherwise ordered by the Commission.

(D) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) of the Commission's rules of practice and procedure (18 CFR 1.8 and 1.37 (f)).

By the Commission.

[SEAL] MICHAEL J. FARRELL, *Acting Secretary.*

[F. R. Doc. 57-7306; Filed, Sept. 5, 1957; 8:49 a. m.]

[Docket No. G-13177]

OIL PARTICIPATIONS, INC.

ORDER FOR HEARING AND SUSPENDING PROPOSED CHANGES IN RATES

AUGUST 30, 1957.

Oil Participations, Incorporated (Oil Participations), on July 31, 1957, tendered for filing a proposed change in its presently effective rate schedule for sales of natural gas subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate and charge, is contained in the following designated filing:

Description: Notice of Change, undated.
Purchaser: United Fuel Gas Company.
Rate schedule designation: Supplement No. 1 to Oil Participations' FPC Gas Rate Schedule No. 4.
Effective date: [1] August 31, 1957.

In support of the proposed periodic rate increase, Oil Participations states that the contract was arrived at by arm's-length bargaining, the pricing provisions constitute an integral part of the consideration upon which the contract was based, the proposed rate is fair, reasonable and just, and is lower than prices currently paid and offered for comparable quantities of similar gas in the general area.

The increased rate and charge so proposed has not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed change, and that Supplement No. 1 to Oil Participations' FPC Gas Rate Schedule No. 4 be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR, Chapter I), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rate and charge contained in Supplement No. 1 to Oil Participations' FPC Gas Rate Schedule No. 4.

(B) Pending such hearing and decision thereon, said supplement be and it is hereby suspended and the use thereof deferred until January 31, 1958, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(C) Neither the supplement hereby suspended nor the rate schedule sought to be altered thereby shall be changed until this proceeding has been disposed of, or until the period of suspension has expired, unless otherwise ordered by the Commission.

(D) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) of the Commission's rules of practice and procedure (18 CFR 1.8 and 1.37 (f)).

By the Commission.[2]

[SEAL] MICHAEL J. FARRELL, *Acting Secretary.*

[F. R. Doc. 57-7307; Filed, Sept. 5, 1957; 8:49 a. m.]

[Docket Nos. G-12416, G-12422]

UNITED GAS PIPE LINE CO. AND HUMBLE OIL & REFINING CO.

NOTICE OF APPLICATIONS AND CONSOLIDATION OF PROCEEDINGS

AUGUST 30, 1957.

Take notice that United Gas Pipe Line Company (United), a Delaware corporation, with principal place of business at 1525 Fairfield Avenue, Shreveport, Louisiana, and Humble Oil & Refining Company (Humble), a Texas corporation with principal place of business in Humble Building, Houston, Texas, hereinafter collectively referred to as Applicants, filed in Docket Nos. G-12416 and G-12422 on April 15, 1957, respectively, separate applications for certificates of public convenience and necessity, pursuant to section 7 (c) of the Natural Gas Act, authorizing Applicants to render service as hereinafter described, subject to the jurisdiction of the Commission, all as more fully represented in the applications which are on file with the Commission and open for public inspection.

United proposes to construct and operate approximately 3.5 miles of 8-inch lateral supply line extending southeasterly from a point of connection on United's existing 6-inch Dulac Field Line near the Dulac Field purchase meter sta-

[1] The stated effective date is the first day after expiration of the required thirty days' notice.

[2] Commissioner Digby dissenting.

tion to the Lapeyrouse Area, Terrebonne Parish, Louisiana, together with a meter and separator at the end thereof. The estimated total cost of these facilities is $227,014 which will be financed by United out of current working funds. These facilities will be used for the purpose of enabling United to take natural gas produced by Humble in the Lapeyrouse Area, Terrebonne Parish, Louisiana, into its existing pipeline system. United will use this gas to assure the continued and uninterrupted flow of natural gas to its existing customers in meeting their present and future requirements. United also seeks authority to construct and operate such other facilities as may be required from time to time to connect, or to take additional deliveries from wells in the Lapeyrouse Area.

Humble proposes to sell natural gas in interstate commerce to United for resale. In this respect, Humble has entered into a 20-year gas sales contract with United dated March 5, 1957, under the terms of which Humble has dedicated to the performance thereof, all of the natural gas, subject to certain reservations, produced from its interests in all lands and leaseholds now owned by Humble in the Lapeyrouse Area, Terrebonne Parish, Louisiana, as set forth in Exhibit A to the contract.

United states that the estimated total volume of proven reserves in place in the dedicated acreage is 70,396,000 Mcf at 14.73 psia and that the estimated total volume of recoverable reserves is 14,612,000 Mcf at 14.73 psia. United also states that the instant contract together with its contract with Placid Oil Company results in United's having 100 percent of the field under contract. It is further stated that the Area is presently being actively developed; that it is conservatively estimated that there is a deliverability of 18,000 Mcf per day at present; that United will purchase between 4,000,000 and 5,000,000 Mcf during the first year after deliveries commence; that after the Area has been fully developed, there will be an estimated deliverability of 25,000 Mcf per day; and that United will purchase an estimated quantity of between 6,000,000 and 12,000,000 Mcf each year thereafter. United states that approximately 30 percent of these estimated daily and annual withdrawal rates will be attributable to Humble and that the remaining 70 percent will be attributable to Placid Oil Company from whom United is presently purchasing gas.

The aforesaid Humble-United contract provides for an initial price of 19.5 cents per Mcf at 15.025 psia for each of the 1st 4 years commencing with the date of the first deliveries; 21.5 cents for each of the next 3 years; 22.0 cents for each of the next 8 years; and 23.0 cents for each of the next 5 years. (These prices include the present Louisiana Gathering Tax.) In addition to the foregoing prices, United will reimburse Humble for 3/4ths of any new, additional or increased taxes.

These related matters should be heard on a consolidated record and disposed of as promptly as possible under the applicable rules and regulations.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before September 23, 1957.

[SEAL] MICHAEL J. FARRELL,
Acting Secretary.

[F. R. Doc. 57-7308; Filed, Sept. 5, 1957; 8:49 a. m.]

[Docket No. G-13156]

H. L. HUNT

ORDER FOR HEARING AND SUSPENDING PROPOSED CHANGE IN RATES

AUGUST 30, 1957.

H. L. Hunt (Hunt) on August 5, 1957, tendered for filing a proposed change in his presently effective rate schedule for sales of natural gas subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate and charge, is contained in the following designated filing:

Description. Notice of Change, undated.
Purchaser: El Paso Natural Gas Company.
Rate schedule designation: Supplement No. 3 to Hunt's FPC Gas Rate Schedule No. 16.
Effective date: [1] September 5, 1957.

In support of the proposed favored-nations rate increase,[2] Hunt states that the change fulfills the contractual obligation, and disallowance would be a deprivation of property without due process of law.

The increased rate and charge so proposed has not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed change, and that the above-designated supplement be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR, Chapter I), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rates and charges contained in Supplement No. 3 to Hunt's FPC Gas Rate Schedule No. 16.

(B) Pending such hearing and decision thereon, said supplement be and it is hereby suspended and the use thereof deferred until February 5, 1958, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(C) Neither the supplement hereby suspended, nor the rate schedule sought to be altered thereby, shall be changed until this proceeding has been disposed of or until the period of suspension has expired, unless otherwise ordered by the Commission.

(D) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) of the Commission's rules of practice and procedure (18 CFR 1.8 and 1.37 (f)).

By the Commission.

[SEAL] MICHAEL J. FARRELL,
Acting Secretary.

[F. R. Doc. 57-7309; Filed, Sept. 5, 1957; 8:49 a. m.]

[Docket No. G-13157]

HUNT OIL CO.

ORDER FOR HEARING AND SUSPENDING PROPOSED CHANGES IN RATES

AUGUST 30, 1957.

Hunt Oil Company (Hunt) on August 5, 1957, tendered for filing proposed changes in its presently effective rate schedules for sales of natural gas subject to the jurisdiction of the Commission. The proposed changes, which constitute increased rates and charges, are contained in the following designated filings:

Description: Notice of Change, undated.
Purchaser: El Paso Natural Gas Company.
Rate schedule designation: Supplement No. 3 to Hunt's FPC Gas Rate Schedule No. 34. Supplement No. 6 to Hunt's FPC Gas Rate Schedule No. 7.
Effective date: [1] September 5, 1957.

In support of the proposed favored-nations rate increases,[2] Hunt states that the changes fulfill the contractual obligations, and disallowance would be a deprivation of property without due process of law.

The increased rates and charges so proposed have not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed changes, and that the above-designated supplements be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR, Chapter I), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rates and charges.

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[1] The stated effective date is the first day after expiration of the required thirty days' notice.

[2] The proposed increase has been triggered by the spiral escalation rate increase of 15.05 percent of Phillips Petroleum Company for gas sales in the Permian Basin to El Paso Natural Gas Company, which increase was suspended in Docket No. G-11217, and made effective subject to refund on March 11, 1957.

(B) Pending such hearing and decision thereon, said supplements be and they are each hereby suspended and the use thereof deferred until February 5, 1958, and until such further time as they are made effective in the manner prescribed by the Natural Gas Act.

(C) Neither the supplements hereby suspended, nor the rate schedules sought to be altered thereby, shall be changed until this proceeding has been disposed of or until the periods of suspension have expired, unless otherwise ordered by the Commission.

(D) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) of the Commission's rules of practice and procedure (18 CFR 1.8 and 1.37 (f)).

By the Commission.

[SEAL] MICHAEL J. FARRELL, *Acting Secretary.*

[F. R. Doc. 57-7310; Filed, Sept. 5, 1957; 8:50 a. m.]

[Docket No. G-12211 etc.]

SUNRAY MID-CONTINENT OIL CO., ET AL.

NOTICE OF APPLICATIONS AND CONSOLIDATION OF PROCEEDINGS

SEPTEMBER 3, 1957.

In the matters of Sunray Mid-Continent Oil Company, Docket No. G-12211; Buffalo Oil Company, Docket No. G-12214; Warren Petroleum Corporation, Docket No. G-12215; United Gas Pipe Line Company, Docket No. G-12270.

Take notice that applications for certificates of public convenience and necessity were filed, pursuant to section 7 (c) of the Natural Gas Act, by Sunray Mid-Continent Oil Company (Sunray) in Docket No. G-12211 on March 11, 1957, Buffalo Oil Company (Buffalo) in Docket No. G-12214 on March 13, 1957, Warren Petroleum Corporation (Warren) in Docket No. G-12215 on March 13, 1957, and United Gas Pipe Line Company (United) in Docket No. G-12270 on March 22, 1957, hereinafter collectively referred to as Applicants, authorizing said Applicants to render service as hereinafter described, subject to the jurisdiction of the Commission, all as more fully represented in the applications which are on file with the Commission and open for public inspection.

Sunray and Warren are Delaware corporations with principal places of business in Tulsa, Oklahoma; Buffalo is a Maryland corporation with principal place of business in Tulsa, Oklahoma; and United is a Delaware corporation with principal place of business at 1525 Fairfield Avenue, Shreveport, Louisiana.

United proposes to construct and operate approximately 8.1 miles of 8-inch lateral transmission line extending southwesterly from a point of connection with United's existing 10-inch transmission line, in Lafayette Parish, Louisiana, near milepost 110 to a point in the Ridge Field, located within the Ridge Area, Lafayette Parish, Louisiana, together with a meter station and separator at the end thereof. The estimated total cost of these facilities is $110,614 which will be financed by United out of current working funds. These facilities will be used for the purpose of enabling United to take natural gas produced by Sunray, Buffalo and Warren in the Ridge Field and Area into its pipeline system. United will use this gas to assure the continued and uninterrupted flow of natural gas to its existing customers in meeting their present and future requirements. United also seeks authority to construct and operate such other facilities as may be required from time to time to connect, or to take additional deliveries from wells in the Ridge Area.

Sunray, Buffalo and Warren each propose to sell natural gas in interstate commerce produced from Ridge Field and Area, Lafayette Parish, Louisiana, to United for resale. Each of these producers has entered into a 20-year gas sales contract with United, dated January 1, 1957, as amended January 1 and January 30, 1957, providing for such sale. The provisions of these three basic contracts, as so amended, are identical except for party sellers and except, in the case of Sunray and Buffalo, respectively, for a reservation as to gas reserves heretofore dedicated by Sunray and Buffalo to Transcontinental Gas Pipe Line Corporation under contracts dated December 10, 1954, as amended, which pertain to recoverable gas reserves in the South Duson Field, Lafayette and Acadia Parishes, Louisiana. A part of the South Duson Field lies within the Ridge Area. By further amendment of its contract with United, dated March 4, 1947, Buffalo has dedicated the gas under certain additional acreage to the performance of its contract with United.

Under the aforesaid contracts, Sunray, Buffalo and Warren have each dedicated to the performance of its contract all of the natural gas, subject to certain reservations exclusive of the aforesaid reservation, produced from their respective interests in all lands, leaseholds and units now owned by them in the Ridge Area, Lafayette and Vermillion Parishes, Louisiana, as set forth, in the cases of Sunray and Warren, in Exhibit A to their respective contracts, and, in the case of Buffalo, as set forth in Exhibit A-1 to its contract, all as more precisely set forth in Exhibit H-2 (h) of United's application.

The contracts provide for an initial price of 20.5 cents per Mcf at 15.025 psia for each of the first 5 years commencing with the date of first delivery or with the date at which United becomes obligated to take or pay, whichever first occurs. Thereafter, the price (called base price) escalates 1.0 cent per Mcf for each of the next three 5-year periods. These base prices are subject to adjustment in inverse proportion to changes of the purchasing power of the dollar as indicated by the U. S. Dept. of Labor Index of Wholesale Prices of Commodities Other Than Farm Products and Food based on the period for 1957-1959 as set forth in detail in the contracts. Optionally, these base prices are also subject to renegotiation as set forth in the contracts. In addition to the foregoing prices, United will reimburse the sellers for the present Louisiana Gathering tax and for 3/4ths of any new, additional or increased taxes.

The annual minimum quantity of gas which must be taken or paid for during each contract year by United under the contracts is stated to be the product of 45,625/1,000,000 times the estimated total quantity of recoverable gas reserves dedicated. United also states that the estimated total volume of proven reserves in place in the Ridge Area is 155,872,000 Mcf at 14.73 psia and that the estimated recoverable reserves amount to 132,318,000 Mcf at 14.73 psia. It is also stated that there are 4 wells in the area which are very recent completions; that it is conservatively estimated that these wells will have a deliverability of 20,000 Mcf per day; that with such deliverability, United will purchase an estimated 5,000,000 to 6,000,000 Mcf during the first year and thereafter; and that if further development shows larger reserves or deliverability, United's purchases will increase in later years.

These related matters should be heard on a consolidated record and disposed of as promptly as possible under the applicable rules and regulations.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before September 23, 1957.

[SEAL] MICHAEL J. FARRELL, *Acting Secretary.*

[F. R. Doc. 57-7332; Filed, Sept. 5, 1957; 8:53 a. m.]

[Docket No. G-12749]

TIDEWATER OIL CO.

NOTICE OF APPLICATION AND DATE OF HEARING

SEPTEMBER 3, 1957.

Take notice that on June 17, 1957, Tidewater Oil Company (applicant), filed in Docket No. G-12749 an application pursuant to section 7 (b) of the Natural Gas Act for an order permitting and approving the abandonment of natural gas service to Tennessee Gas Transmission Company from the West Bishop Field, Nueces County, Texas, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that production from its Luling Foundation Well No. 1 in said West Bishop Field has declined to the extent that further operations are uneconomical and continuance of the subject service is unwarranted. Applicant states further that said well was plugged and abandoned on April 7, 1957.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the

Commission's rules of practice and procedure, a hearing will be held on October 8, 1957, at 9:30 a. m., e. d. s. t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by such application: *Provided, however,* that the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30 (c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before September 24, 1957. Failure of any party to appear at and participate in the hearing shall be construed as waiver of an concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

[SEAL] MICHAEL J. FARRELL,
Acting Secretary.

[F. R. Doc. 57-7333; Filed, Sept. 5, 1957; 8:53 a. m.]

GENERAL SERVICES ADMINISTRATION

[Delegation of authority 303]

SECRETARY OF THE INTERIOR

DELEGATION OF AUTHORITY WITH RESPECT TO NEGOTIATION OF CONTRACTS FOR PROFESSIONAL SERVICES

AUGUST 30, 1957.

1. Pursuant to the authority vested in me by the Federal Property and Administrative Services Act of 1949 (63 Stat. 377), as amended, herein called the act, authority is hereby delegated for the period ending September 1, 1958, to the Secretary of the Interior to negotiate, without advertising, under section 302 (c) (4) of the act, contracts for the services of architectural and engineering firms in connection with the construction activities under the Alaska Public Works Program authorized by the act of August 24, 1949 (63 Stat. 627), as amended by the act of July 15, 1954 (68 Stat. 483).

2. This delegation of authority shall be subject to all provisions of Title III of the act with respect to negotiated contracts, and to all other provisions of law.

3. The authority herein delegated may be redelegated to any officer or official of the Department of the Interior.

4. This delegation shall be effective as of the date hereof.

5. The prior delegation of authority on the same subject to the Secretary of the Interior, dated August 21, 1956 (21 F. R. 6425), is hereby superseded.

FRANKLIN G. FLOETE,
Administrator.

[F. R. Doc. 57-7334; Filed, Sept. 5, 1957; 8:53 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 1-2115]

BELLANCA CORP.

ORDER SUMMARILY SUSPENDING TRADING

AUGUST 30, 1957.

In the matter of trading on the American Stock Exchange in the $1.00 par value Capital Stock of Bellanca Corporation, File No. 1-2115.

I. The $1.00 par value Capital Stock of Bellanca Corporation is listed and registered on the American Stock Exchange, a national securities exchange; and

II. The Commission on April 24, 1957, issued its order and notice of hearing under section 19 (a) (2) of the Securities Exchange Act of 1934 (hereinafter called "the act") to determine at a hearing beginning July 10, 1957, whether it is necessary or appropriate for the protection of investors to suspend for a period not exceeding twelve months, or to withdraw, the registration of the capital stock of Bellanca Corporation (hereinafter called "registrant") on the American Stock Exchange for failure to comply with section 13 of the act and the rules and regulations adopted thereunder, and for failure to comply with the disclosure requirements of Regulation X-14 adopted pursuant to section 14 (a) of the act.

On August 22, 1957, the Commission issued its order summarily suspending trading of said securities on the exchange pursuant to section 19 (a) (4) of the act for the reasons set forth in said order to prevent fraudulent, deceptive or manipulative acts or practices for a period of ten days from the date of the aforesaid order.

III. The Commission being of the opinion that the public interest requires the summary suspension of trading in such security on the American Stock Exchange and that such action is necessary and appropriate for the protection of investors; and

The Commission being of the opinion that such suspension is necessary in order to prevent fraudulent, deceptive, or manipulative acts or practices, with the result that it will be unlawful under section 15 (c) (2) of the Securities Exchange Act of 1934 and the Commission's Rule X-15C2-2 thereunder for any broker or dealer to make use of the mails or of any means or instrumentality of interstate commerce to effect any transaction in, or to induce or attempt to induce the purchase or sale of, such security otherwise than on a national securities exchange.

It is ordered, Pursuant to section 19 (a) (4) of the Securities Exchange Act of 1934, that trading in said securities on the American Stock Exchange be summarily suspended in order to prevent fraudulent, deceptive, or manipulative acts or practices for a period of ten (10) days, September 2 to 11, 1957, inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 57-7313; Filed, Sept. 5, 1957; 8:50 a. m.]

[File No. 24B-962]

GOB SHOPS OF AMERICA, INC.

NOTICE OF AND ORDER FOR HEARING

AUGUST 29, 1957.

Gob Shops of America, Inc. (Gob Shops), a Rhode Island corporation, 41 Stukely Street, Providence, Rhode Island, filed with the Commission on January 21, 1957 a notification and an offering circular relating to an offering of 240,000 shares of its 30¢ par value common stock "at the market", but in no event for more than $300,000.00 on its behalf and on the behalf of Ernest Nathan, Theodore Schoenfeld, Joseph S. Porr, Laurence H. Lubin, J. Bowling Bruns, Jr., and Harold S. Coleman for the purpose of obtaining an exemption from the registration requirements of the Securities Act of 1933, as amended, pursuant to the provisions of section 3 (b) thereof and Regulation A promulgated thereunder. Bruns, Nordeman & Co., 52 Wall Street, New York 5, New York, was named as underwriter.

The Commission on July 25, 1957, issued an order pursuant to Rule 261 of the general rules and regulations under the Securities Act of 1933, as amended, temporarily suspending the conditional exemption under Regulation A and denying Gob Shops' request for withdrawal of its notification without prejudice and affording to any person having an interest therein an opportunity to request a hearing pursuant to Rule 261. A written request for a hearing was received by the Commission.

The Commission deeming it necessary and appropriate to determine whether to vacate the temporary suspension order or to enter an order permanently suspending the exemption and whether to deny with prejudice Gob Shops' request for withdrawal of its notification or to consent to the withdrawal of the notification,

It is hereby ordered, That a hearing under the applicable provisions of the Securities Act of 1933, as amended, and the rules of the Commission be held on September 23, 1957, at 10:00 a. m., e. d. t. at the Boston Regional Office of the Commission, U. S. Post Office and Courthouse, Boston, Massachusetts, with respect to the following matters and questions without prejudice, however, to the specification of additional issues which may be presented in these proceedings:

A. Whether the terms and conditions of Regulation A have not been complied with in that the notification fails to contain the information required by Item 9 with respect to unregistered securities of Gob Shops which were sold within one year prior to the filing of the notification by or for the account of persons who at the time were directors of Gob Shops, to wit Laurence H. Lubin and Harold S. Coleman;

B. Whether the notification and offering circular contain untrue statements of material fact and omit to state material facts necessary in order to make the statements made, in the light of the circumstances under which they are made, not misleading, concerning:

1. Unregistered securities of Gob Shops which were sold within one year prior

to the filing of the notification by or for the account of persons who at the time were directors;

2. The market for securities of which Gob Shops was the issuer;

3. The market price for securities of which Gob Shops was the issuer;

4. The activities of the underwriter in the market for securities of which Gob Shops was the issuer; and

5. The maintenance, dominance and control by the underwriter of the market for, and market price of, securities of which Gob Shops was the issuer;

C. Whether the offering would be made in violation of section 17 of the Securities Act of 1933, as amended, in that use would be made of an offering circular which contains false and misleading statements of material facts as is specified hereinabove;

D. Whether the order dated July 25, 1957, temporarily suspending the exemption under Regulation A should be vacated or made permanent; and

E. Whether Gob Shops' request for withdrawal of its notification should be denied with prejudice or whether the Commission should consent to the withdrawal.

It is further ordered, That Mr. William W. Swift or any officer or officers of the Commission designated by it for that purpose shall preside at the hearing, and any officer or officers so designated to preside at any such hearing are hereby authorized to exercise all of the powers granted to the Commission under sections 19 (b), 21 and 22 (c) of the Securities Act of 1933, as amended, and to hearing officers under the Commission's rules of practice.

It is further ordered, That the Secretary of the Commission shall serve a copy of this order by registered mail on Gob Shops of America, Inc., 41 Stukely Street, Providence, Rhode Island, Walter Adler and Bernard R. Pollock, 1006 Hospital Trust Building, Providence, Rhode Island, and Nathan B. Kogan, 99 Wall Street, New York, New York, that notice of the entering of this order shall be given to all other persons by general release of the Commission and by publication in the FEDERAL REGISTER. Any person who desires to be heard or otherwise wishes to participate in such hearing shall file with the Secretary of the Commission on or before September 20, 1957, a request relative thereto as provided in Rule XVII of the Commission's rules of practice.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 57-7314; Filed, Sept. 5, 1957; 8:50 a. m.]

[File No. 70-3608]

PHILADELPHIA CO. AND STANDARD GAS AND ELECTRIC CO.

ORDER APPROVING ISSUANCE OF PROMISSORY NOTE

AUGUST 30, 1957.

Standard Gas and Electric Company ("Standard Gas"), a registered holding company and a subsidiary of Standard Shares, Inc., a registered holding company in the process of conversion into an investment company, and Philadelphia Company ("Philadelphia"), a subsidiary of Standard Gas and also a registered holding company, have filed with this Commission a joint application-declaration pursuant to sections 6 (a), 7, 9 and 10 of the Public Utility Holding Company Act of 1935 ("act"), regarding the following proposed transaction:

Philadelphia proposes to issue and deliver to Standard Gas a renewal promissory note in replacement of a promissory note in the principal amount of $2,500,000 which will mature on September 10, 1957, and which bears interest at the rate of 4 percent per annum, payable monthly. The renewal note, in the same principal amount, will bear interest at the prime interest rate prevailing for short-term commercial bank loans (presently 4½ percent) at the date of the new note, and will mature September 10, 1958, with the right of the issuer to anticipate at any time without penalty the payment of all or any part of the principal thereof.

No commissions or fees will be paid or incurred in connection with the proposed transaction and the expenses, if any, will be nominal in the amount.

Due notice having been given of the filing of said application-declaration (Holding Company Act Release No. 13527) and a hearing not having been requested of or ordered by the Commission; and the Commission finding that the applicable provisions of the act and the rules promulgated thereunder are satisfied, and deeming it appropriate in the public interest and in the interest of investors and consumers that the application-declaration be granted and permitted to become effective forthwith:

It is ordered, Pursuant to Rule U-23 and the applicable provisions of the act, that said application-declaration be, and hereby is, granted and permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 57-7315; Filed, Sept. 5, 1957; 8:50 a. m.]

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATIONS FOR RELIEF

SEPTEMBER 3, 1957.

Protests to the granting of an application must be prepared in accordance with Rule 40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 34140: *All commodities—McKeesport, Pa., to southern points.* Filed by O. E. Schultz, Agent, (ER No. 2401), for interested rail carriers. Rates on all commodities, mixed carloads from McKeesport, Pa., to Huntsville, Ala., Hickory, N. C., and Pensacola, Fla.

Grounds for relief: Motor truck competition.

Tariff: Supplement 1 to Agent Hinsch's tariff I. C. C. 4781.

FSA No. 34141: *Sand—Berkeley Springs and Hancock, W. Va., to Greensboro, N. C., and Harrodsburg, Ky.* Filed by O. E. Schultz, Agent, (No. ER 2402), for interested rail carriers. Rates on sand, ground or pulverized, carloads from Berkeley Springs and Hancock, W. Va., to Greensboro, N. C., and Harrodsburg, Ky.

Grounds for relief: Modified short-line distance formula.

Tariff: Supplement 50 to Agent C. W. Boin's tariff I. C. C. A-1079.

FSA No. 34142: *Slag—Ensley, Ala., to Ceramic, Ala.* Filed by O. W. South, Jr., Agent (SFA No. A3525), for interested rail carriers. Rates on expanded or water granulated slag, carloads from Ensley, Ala., to Ceramic, Ala.

Grounds for relief: Intrastate competition and short-line distance formula.

Tariff: Supplement 121 to Agent Spaninger's tariff I. C. C. 1469.

FSA No. 34143: *Potatoes—Colorado Points to New Orleans, La.* Filed by F. C. Kratzmeir, Agent (SWFB No. B-7104), for interested rail carriers. Rates on potatoes, other than sweet, carloads from specified points in the San Luis Valley of Colorado, as described in the application to New Orleans, La., on the Gulf, Mobile and Ohio Railroad Company.

Grounds for relief: Circuitous routes.

Tariff: Supplement 153 to Agent Kratzmeir's tariff I. C. C. 3722.

FSA No. 34144: *Merchandise from New York, N. Y., to Henderson, N. C.* Filed by O. E. Schultz, Agent (ER No. 2403), for interested rail carriers. Rates on all commodities, mixed carloads from New York, N. Y., to Henderson, N. C.

Grounds for relief: Short-line distance formula and circuity.

Tariff: Supplement 7 to Agent C. W. Boin's tariff I. C. C. A-1119.

By the Commission.

[SEAL] HAROLD D. MCCOY, *Secretary.*

[F. R. Doc. 57-7312; Filed, Sept. 5, 1957; 8:50 a. m.]

TARIFF COMMISSION

[Investigation 119]

TUNGSTEN ORES AND CONCENTRATES

NOTICE OF INVESTIGATION

In accordance with Senate Resolution 195, 85th Congress, the United States Tariff Commission, on the 30th day of August 1957, instituted an investigation for the purposes of section 336 of the Tariff Act of 1930 (19 U. S. C. 1336) of the differences in the costs of production of foreign tungsten ores and concentrates provided for in paragraph 302 (c) of the Tariff Act of 1930 and domestic tungsten ores and concentrates.

Public hearings in connection with this investigation will be announced at a future date.

Issued: September 3, 1957.

By order of the United States Tariff Commission, the 30th day of August 1957.

[SEAL] DONN N. BENT, *Secretary.*

[F. R. Doc. 57-7317; Filed, Sept. 5, 1957; 8:51 a. m.]